

**2001  
Catalog of  
State and Federal Mandates  
on Local Governments**



**Commission on Local Government  
Commonwealth of Virginia**

**February 2001**

**Members  
of the  
Virginia Commission  
on  
Local Government**

**James E. Kickler, Chairman  
James J. Heston, Vice Chairman  
Frank Raflo  
Peter T. Way  
Geline B. Williams**

**900 East Main Street, Suite 103  
Richmond, Virginia 23219-3513  
(804) 786-6508  
[www.clg.state.va.us](http://www.clg.state.va.us)**

## Table of Contents

Agency Index .....	5
Introduction .....	21
Part A: Mandates Administered by State Executive Agencies .....	29
Part B: Mandates Administered by Nonexecutive Agencies and Mandates without State Oversight .....	249
Appendices .....	299
Appendix A: Executive Memorandum 1-98 (Establishment of Schedule and Format for Agency Assessment of Mandates on Local Government)	
Appendix B: Changes in Mandates Since Issuance of <u>1999 Catalog of State and Federal Mandates on Local Governments</u>	
Appendix C: Principal Federal Mandates Affecting Virginia Localities	
Appendix D: Summary of State and Federal Mandates by Secretariat, Agency, and Type	
Appendix E: Virginia Statutes Affecting Mandates on Local Governments	
Key Word Index	

## Catalog of State and Federal Mandates on Local Governments—2001

## Agency Index

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
<b>Aging, Department for the</b>	
Area Plan for Aging Services . . . . .	31
<b>Agriculture and Consumer Services, Department of</b>	
Enforcement of Comprehensive Animal Laws . . . . .	31
USDA Food Program Participation Requirements . . . . .	32
Public Animal Holding Facility . . . . .	32
Cooperative Gypsy Moth Suppression Program . . . . .	33
Plastic Pesticide Container Recycling Grant . . . . .	33
<b>Arts, Virginia Commission for the</b>	
Local Government Arts Challenge Grant . . . . .	34
Artist in Residence Grant . . . . .	34
<b>Auditor of Public Accounts</b>	
Annual Financial Report . . . . .	251
Annual Audit . . . . .	251
<b>Aviation, Department of</b>	
Airport Operation Standards . . . . .	35
Airport Licensing . . . . .	35
Airport Property Lease . . . . .	36
Airport Grant Application Approval . . . . .	36
Airport Grant Assurances . . . . .	37
Airport Safety Overlay Zoning . . . . .	37
Based Aircraft Survey . . . . .	38
Airport Financial Responsibility . . . . .	38
<b>Chesapeake Bay Local Assistance Department</b>	
Chesapeake Bay Preservation Area Designation . . . . .	39
Comprehensive Plan Requirements in Tidewater . . . . .	39
Zoning Ordinance Requirements in Tidewater . . . . .	40
Development Review Requirements in Tidewater . . . . .	40
Subdivision Ordinance Requirements in Tidewater . . . . .	41

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
Erosion Ordinance Requirements in Tidewater . . . . .	41
Land Development Requirements in Tidewater . . . . .	42
<b>Community College System, Virginia</b>	
Administration of Apprenticeship-Related Instruction . . . . .	42
<b>Compensation Board</b>	
Constitutional Officer Legal Expenses . . . . .	43
Constitutional Officer Annual Budget Request . . . . .	43
Funding Constitutional Officer Expenses . . . . .	44
Jail Inmate Reporting . . . . .	44
Jail Revenues and Expenditures Reporting . . . . .	45
Contract Inmate Classification Reporting . . . . .	45
<b>Comprehensive Services, Office of</b>	
Comprehensive Services for At-Risk Youth and Families . . . . .	46
<b>Conservation and Recreation, Department of</b>	
Virginia Outdoors Fund - State Grants and Loans . . . . .	46
Land and Water Conservation Fund - Federal Grants . . . . .	47
Flood Prevention and Protection Assistance Fund . . . . .	47
Perpetual Conservation Easement . . . . .	48
Virginia Impounding Structure Regulations . . . . .	48
Stormwater Management Program . . . . .	49
Public Beach Grants and Advisory Commission . . . . .	49
Erosion and Sediment Control Program . . . . .	50
Virginia Recreational Trails Fund . . . . .	50
Virginia Water Quality Improvement Fund Nonpoint Source Pollution Control Grant . . . . .	51
Federal Clean Water Act - Section 319 Nonpoint Source Pollution Control Grant . . .	51
Virginia Land Conservation Foundation Grants . . . . .	52
<b>Corrections, Department of</b>	
Correctional Facility Standards . . . . .	52
Correctional Facility Cost-Sharing . . . . .	53
Residential Centers for Parolees . . . . .	53
Correctional Facility Compliance Audit . . . . .	54

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
<b>Criminal Justice Services, Department of</b>	
Forfeited Asset Sharing Program (FASP) . . . . .	54
Criminal History Record Information . . . . .	55
McGruff House Program . . . . .	55
Edward Byrne Memorial Grant . . . . .	56
Juvenile Delinquency Prevention and Juvenile Justice System Improvement Grant . . . . .	56
Alcohol Detoxification Center Grant . . . . .	57
Training Standards for Criminal Justice Personnel . . . . .	57
Intensified Drug Enforcement Assistance (IDEA) Grant . . . . .	58
Crime Victim Services Grant . . . . .	58
Court-Appointed Special Advocate Program (CASA) . . . . .	59
Comprehensive Community Corrections Program . . . . .	59
Community Policing Fund . . . . .	60
Crime Prevention Grants . . . . .	60
STOP Violence Against Women Grants . . . . .	61
Pretrial Services Program . . . . .	61
Virginia Weed and Seed Initiative Program . . . . .	62
Preliminary Alcohol Analysis of Breath . . . . .	62
Local Law Enforcement Block Grant Program . . . . .	63
Training Standards for Animal Control Officers . . . . .	63
School Resource Officer Grants . . . . .	64
Juvenile Accountability Incentive Block Grant . . . . .	64
Rural Domestic Violence Grant . . . . .	65
Sexual Assault Services Grant . . . . .	65
<b>Education, Department of</b>	
Superintendent of School Division Required . . . . .	66
School Board Employee Grievance Procedure . . . . .	66
Child Abuse/Molestation Offense Certification Required . . . . .	67
Teacher License Required . . . . .	67
Licensed Principals and Assistant Principals . . . . .	68
School Board Employee Fingerprinting and Criminal History Records . . . . .	68
Teacher Enrollment in Virginia Retirement System . . . . .	69
Minimum Instructional Personnel Requirements . . . . .	69
Pupil/Teacher Ratios . . . . .	70
Provision of School Support Services . . . . .	70
Professional Development for School Board Members . . . . .	71
Management of Student Scholastic Records . . . . .	71
Six-Year School Improvement Plan . . . . .	72
Annual Report on Schools . . . . .	72
Records of Non-Resident Students With Disabilities . . . . .	73
Verification of Student Immunization . . . . .	73

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
Attendance Guidelines for HIV-Infected Student and Persons with Infectious Diseases . . . . .	74
Triennial Census of School-Age Population . . . . .	74
Provision of Free Education . . . . .	75
Provision of Free Textbooks . . . . .	75
Use of Approved Textbooks . . . . .	76
Length of School Term . . . . .	76
Local School Division Policy Manuals . . . . .	77
Professional Development for Teachers and Administrators . . . . .	77
In-Service Training in Assessment Measures . . . . .	78
Standards of Accreditation Requirements . . . . .	78
Elementary and Secondary Education Act Chapter 2 Funds Regulations . . . . .	79
Minimum Standards for New Construction and Renovation of School Facilities . . . . .	79
Nondiscriminatory Access to Vacation School or Summer Camp . . . . .	80
Radon Testing of Public Schools . . . . .	80
School Bus Safety Standards . . . . .	81
Pupil Transportation . . . . .	81
School Breakfast Program Standards . . . . .	82
National School Lunch Program . . . . .	82
Special Milk Program . . . . .	83
Regulation of Food and Drink Sales . . . . .	83
School Breakfast Programs . . . . .	84
Program of Instruction for Grades K-12 . . . . .	84
Instruction Standards for K-3 . . . . .	85
Programs to Increase Numbers of Students Earning Diplomas or GED . . . . .	85
Drugs and Drug Abuse Instruction . . . . .	86
Physical and Health Education . . . . .	86
Moral Education . . . . .	87
Funds for Driver Education Standards . . . . .	87
Identification and Enrollment of Gifted Students . . . . .	88
Educational Alternatives for Students . . . . .	88
Programs for Educationally At-Risk Students . . . . .	89
Plans and Procedures for Measuring Progress of At-Risk Students . . . . .	89
Adult Education Programs . . . . .	90
Career Education Program . . . . .	90
Employment Counseling and Placement Services . . . . .	91
Pupil Personnel Services in Grades K-12 . . . . .	91
Administration of Criterion Referenced Tests . . . . .	92
Literacy Passport Tests . . . . .	92
Units of Credit for High School Diplomas . . . . .	93
Competency-Based Vocational Education Program . . . . .	93
Academic and Vocational Preparation for Students . . . . .	94
Nondiscrimination in Vocational Education . . . . .	94
Competency-Based Vocational Education Standards . . . . .	95
Vocational Advisory Council . . . . .	95



## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
Vocational Education Student Organizations . . . . .	96
Vocational Education Program Plan . . . . .	96
Early Identification and Placement of Students with Disabilities . . . . .	97
Special Education Services . . . . .	97
Special Education Plan . . . . .	98
Special Schools for Students with Disabilities . . . . .	98
Free Transportation for Students With Disabilities . . . . .	99
Special Education Program Standards . . . . .	99
Reduced Class Size Grant . . . . .	100
At-Risk Four-Year-Old Preschool Grant . . . . .	100
School/Community Health Center . . . . .	101
Electronic Classroom . . . . .	101
Limited English Proficient Students . . . . .	102
Educational Technology Grant . . . . .	102
Family Life Education Materials . . . . .	103
Reenrollment Plans . . . . .	103
Reports of Certain Acts in Schools . . . . .	104
School-to-Work Transition Programs . . . . .	104
Notice of Parental Involvement in Schools . . . . .	105
Prevention of Violence and Crime on School Property . . . . .	105
Identification of Children with Disabilities . . . . .	106
Sale of School Property . . . . .	106
School Safety Audit and Crisis and Emergency Management Plan . . . . .	107
Early Intervention Services to Primary Grade Students . . . . .	107
School Maintenance . . . . .	108
Notification to Parents of Students with Vision/Hearing Impairments . . . . .	108
Home Instruction . . . . .	109
Required Local Funding Effort for School Division . . . . .	109
Fees and Charges . . . . .	110
Suspension, Expulsion, and Exclusion of Pupils . . . . .	110
Drug-Free Schools and Campuses . . . . .	111
Jointly Owned and Operated Schools or Programs . . . . .	111
School Activity Funds . . . . .	112
Improving Basic Programs (ESEA) . . . . .	112
Student Code of Conduct . . . . .	113
Virginia Public School Construction Grants . . . . .	113
Internet Use Policy . . . . .	114
Character Education . . . . .	114
Remediation Programs Evaluation and Reporting . . . . .	115
Legal Opinion Required for Literary Fund Loan . . . . .	115
Families in Education Incentive Grants Program . . . . .	116
Virginia Public School Educational Technology Grants Program . . . . .	116
Evaluation of Superintendent . . . . .	117
Asthma Medication Policy . . . . .	117
Student Searches . . . . .	118

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
<b>Elections, State Board of</b>	
Voting Equipment and Systems . . . . .	118
Electoral Board and Registrar . . . . .	119
Assistance for Disabled and Elderly at Polling Place . . . . .	119
<b>Emergency Management, Department of</b>	
Appoint Local Emergency Services Director . . . . .	120
Emergency Management Assistance . . . . .	120
Local Emergency Operations Plan . . . . .	121
Radiological Emergency Plan . . . . .	121
Disaster Assistance . . . . .	122
Hazardous Materials Response Team . . . . .	122
SARA Title III Requirements . . . . .	123
Appoint Local Hazardous Materials Coordinator . . . . .	123
<b>Employment Commission, Virginia</b>	
Virginia Workforce Development Program . . . . .	124
<b>Environmental Quality, Department of</b>	
Water Withdrawal Report . . . . .	124
Clean Air Act Section 105 Grant . . . . .	125
Virginia Coastal Resources Management Program . . . . .	125
Solid Waste Management Facility Supervisor Certification . . . . .	126
Solid Waste Management Facility Permit and Resource Conservation and Recovery . . . . .	126
Yardwaste Composting . . . . .	127
Litter Control and Recycling Grant . . . . .	127
Litter Receptacles in Public Places . . . . .	128
Fees for Solid Waste Management Facility Permit . . . . .	128
Solid Waste Management Facility Compliance Notification . . . . .	129
Solid Waste Management Plan . . . . .	129
Recycling Program . . . . .	130
Hazardous Waste Management Requirements . . . . .	130
Medical Waste Management . . . . .	131
Hazardous Materials Transportation . . . . .	131
Underground Storage Tank . . . . .	132
Virginia Pollution Discharge Elimination System Permit . . . . .	132
Virginia Water Protection Permit . . . . .	133
Virginia Pollution Abatement Permit . . . . .	133
Ground Water Withdrawal Permit . . . . .	134
Surface Water Withdrawal Permit . . . . .	134
Above-Ground Storage Tank . . . . .	135
Waste Tire Grant . . . . .	135

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
Solid Waste Management Reporting . . . . .	136
Virginia Water Quality Improvement Act Wastewater Nutrient Removal Grant . . .	136
Compliance with Air Emission Standards . . . . .	137
Landfill Closure . . . . .	137
Exceptional Waters Notification . . . . .	138
<b>Fire Programs, Department of</b>	
Fire Programs Grant . . . . .	138
Training Standards for Fire Marshals . . . . .	139
<b>Forestry, Department of</b>	
Volunteer Fire Assistance Program Grant . . . . .	139
Forest Fire Suppression Reimbursement . . . . .	140
Urban and Community Forestry Assistance Program . . . . .	140
Virginia Dry Fire Hydrant Grant Program . . . . .	141
Tree Planting for Virginia's Communities . . . . .	141
<b>Game and Inland Fisheries, Department of</b>	
Carrying Loaded Firearm on Public Road . . . . .	142
Hunting Damage Stamp . . . . .	142
Hunting or Trapping Near Highway . . . . .	143
Local Boating Ordinances . . . . .	143
Hunting Firearm Restrictions . . . . .	144
<b>General Services, Department of</b>	
Design-Build/Construction Management Review . . . . .	144
<b>Health, Department of</b>	
Establishment of Local Health Department . . . . .	145
Communicable Disease Services . . . . .	145
Child Health Services Program . . . . .	146
Maternal Health Services Program . . . . .	146
Family Planning Services Program . . . . .	147
Environmental Health Services Program . . . . .	147
Optional Communicable Disease Services Program . . . . .	148
Optional Child Health Services Program . . . . .	148
Optional Maternal Health Services Program . . . . .	149
Optional Family Planning Services Program . . . . .	149
Optional General Medical Services Program . . . . .	150
Optional Dental Health Services Program . . . . .	150

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
Emergency Medical Services Licensing .....	151
Local Health Care Facility Licensing .....	151
Local Health Facility Medicare Requirements .....	152
Restaurant, Hotel, or Summer Camp Licensing .....	152
Vital Records and Health Statistics Report .....	153
Public Water System Permit .....	153
Public Marina .....	154
Sewerage Design Approval .....	154
Inspection of Local Correctional Facilities .....	155
Certificate of Public Need (COPN) Requirements for Local Health Facilities .....	155
Local Clinical Laboratory Facility Requirements .....	156
Emergency Medical Services Funds Report .....	156
Rescue Squad Assistance Fund .....	157
Variances and Exemptions for Rescue Squads .....	157
<b>Historic Resources, Department of</b>	
Historic Preservation Grants .....	158
Grants to Certified Local Governments .....	158
Cultural Resource Survey and Planning Cost-Share Program .....	159
<b>Housing and Community Development, Department of</b>	
Uniform Statewide Building Code .....	159
Statewide Fire Prevention Code .....	160
Small Cities Community Development Block Grant Program .....	160
Appalachian Regional Commission (ARC) Program Participation .....	161
Home Investment Partnerships Act Program (HOME) .....	161
Virginia Enterprise Zone Act .....	162
Regional Competitiveness Act .....	162
Derelict Structures Fund .....	163
Housing Revitalization Fund Grants .....	163
Live In Our Community Police Housing Program .....	164
Industrial Site Development Fund .....	164
<b>Human Resource Management, Department of</b>	
Optional Health Insurance .....	165
<b>Juvenile Justice, Department of</b>	
Juvenile Correctional Facility Report .....	165
Delinquency Prevention .....	166
Court Service Unit Standards .....	166
Court Service Unit Office Space .....	167

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
Juvenile Detention, Probation, and Court Service Unit Standards . . . . .	167
Transportation of Detained Youth . . . . .	168
Community-Based Juvenile Services and Sanctions . . . . .	168
Mental Health Screening of Juveniles . . . . .	169
<b>Labor and Industry, Department of</b>	
Boiler and Pressure Vessel Safety . . . . .	169
National Emissions Standards for Hazardous Air Pollution (NESHAP) . . . . .	170
Occupational Safety and Health Act (OSHA) . . . . .	170
Boiler and Pressure Vessel Operator Certification . . . . .	171
Voluntary Apprenticeship Programs . . . . .	171
<b>Library of Virginia, The</b>	
State Certified Librarian . . . . .	172
Library Network . . . . .	172
Library Operation Standards . . . . .	173
Planning and Development Standards for Public Library Services . . . . .	173
Virginia Public Records Act . . . . .	174
Library Acceptable Internet Use Policy . . . . .	174
<b>Marine Resources Commission</b>	
Wetlands Zoning Ordinance Requirements in Tidewater . . . . .	175
Coastal Primary Sand Dune Zoning Ordinance . . . . .	175
<b>Medical Assistance Services, Department of</b>	
State/Local Hospitalization Program . . . . .	176
<b>Mental Health, Mental Retardation, and Substance Abuse Services, Dept. of</b>	
Community Services Board Participation in Medicaid Initiative . . . . .	176
Establishment of Community Services Board . . . . .	177
Community Services Board Licensing . . . . .	177
Community Services Board Emergency Services . . . . .	178
Support Services for Community Services Board . . . . .	178
Community Services Board Prescription Team . . . . .	179
Human Research . . . . .	179
Development of the Comprehensive State Plan . . . . .	180
Involvement of Consumers and Family Members . . . . .	180
Predischarge Planning . . . . .	181
Annual Performance Contract . . . . .	181
Dispute Resolution . . . . .	182
Chief Administrative Officer . . . . .	182

# Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
<b>Mines, Minerals, and Energy, Department of</b>	
Regulation of Coal Surface Mining and Reclamation . . . . .	183
Regulation of Mineral Mining Operations . . . . .	183
<b>Motor Vehicles, Department of</b>	
Abandoned Motor Vehicles . . . . .	184
Unmarked Police Vehicle License Plates . . . . .	184
Community Traffic Safety Grant . . . . .	185
Vehicle Registration Withholding Program . . . . .	185
<b>People with Disabilities, Virginia Board for</b>	
Developmental Disabilities Grant . . . . .	186
<b>Port Authority, Virginia</b>	
Port Assistance Grant . . . . .	186
<b>Professional and Occupational Regulation, Department of</b>	
Asbestos Inspector Licensing . . . . .	187
Waterworks and Wastewater Works Operators License . . . . .	187
<b>Rail and Public Transportation, Department of</b>	
New Model Bus Testing . . . . .	188
Vested Interest in Transportation Project Equipment . . . . .	188
Public Transit System Financial Report . . . . .	189
Disadvantaged/Minority Business Participation . . . . .	189
Clean Air Act Amendments . . . . .	190
Railroad Grant Programs . . . . .	190
Contracting Regulations for Rail or Public Transportation Facility . . . . .	191
Transportation Efficiency Improvement Grant . . . . .	191
Transportation Services for Individuals with Disabilities . . . . .	192
Drug and Alcohol Testing in Transit Operations . . . . .	192
<b>Rehabilitative Services, Department of</b>	
Establishment of Local Disability Services Board . . . . .	193
<b>Retirement System, Virginia</b>	
Employee Retirement System . . . . .	252

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
<b>Social Services, Department of</b>	
Energy Assistance Program . . . . .	193
Merit System of Personnel Administration . . . . .	194
Social Services Staffing Report . . . . .	194
Social Services Administration/Record Retention and Reporting . . . . .	195
Annual Budget Required . . . . .	195
Administrative Records Confidentiality Required . . . . .	196
Employee Qualification Standards . . . . .	196
Long-Term Care Screening Team Participation Required . . . . .	197
Office Space Compliance Required . . . . .	197
Auxiliary Grant Program for SSI Recipients . . . . .	198
Food Stamp Program . . . . .	198
General Relief Program Standards . . . . .	199
Refugee Resettlement Administration and Eligibility Determination . . . . .	199
Temporary Assistance for Repatriates Program . . . . .	200
Medicaid Administration and Eligibility Determination . . . . .	200
Eligibility for the Aid to Families with Dependent Children - Foster Care Program . . . . .	201
Caseload Reporting . . . . .	201
Social Services Board Records Retention Policy . . . . .	202
Family-Based Social Services Policy . . . . .	202
Family Preservation Services Requirements . . . . .	203
Child Protective Services . . . . .	203
Foster Care Services . . . . .	204
Adoption and Other Services . . . . .	204
Court-Ordered Evaluation for Guardianship . . . . .	205
Long-Term Care Services Coordination Committee . . . . .	205
Adult Protective Services . . . . .	206
Adult and Family Care Program Requirements . . . . .	206
Services to Victims of Spouse Abuse . . . . .	207
Services to Person Discharged from State Hospital . . . . .	207
Home-Based Services . . . . .	208
Long-Term and Transitional Child Day Care Services . . . . .	208
Food Stamp, Employment, and Training (FSET) Program . . . . .	209
Purchase of Child Day Care Services . . . . .	209
Integration of Community Services . . . . .	210
Intake Services . . . . .	210
Case Management Services . . . . .	211
Out-of-Home and In-Home Services Approval . . . . .	211
Child Day Care Centers, Camps, and Schools Licensing . . . . .	212
Confidentiality of Client Social Services Program Records . . . . .	212
Adult Day Care Centers and Adult Homes Licensing . . . . .	213
Purchase of Service System . . . . .	213
AmeriCorps Grant . . . . .	214
Spouse Abuse Grant . . . . .	214
Child Abuse and Neglect Prevention Grant . . . . .	215

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
Child Abuse and Neglect Treatment Grant . . . . .	215
Local Board and Superintendent of Public Welfare . . . . .	216
Assessment in Adult Care Residences . . . . .	216
Temporary Assistance to Needy Families (TANF) . . . . .	217
Virginia Initiative for Employment not Welfare (VIEW) . . . . .	217
New Hires Reporting . . . . .	218
Fraud Control Program . . . . .	218
Annual Reports by Guardians . . . . .	219
<b>State Police, Department of</b>	
Arrest Report . . . . .	219
Vehicle Inspection Station Standards . . . . .	220
Virginia Criminal Information Network . . . . .	220
Uniform Crime Reporting System . . . . .	221
Missing Children Information Clearinghouse . . . . .	221
Terrorist Acts Report . . . . .	222
Criminal Firearms Clearinghouse . . . . .	222
Sex Offender and Crimes Against Minors Registry . . . . .	223
Youth Gangs Reporting . . . . .	223
Concealed Handgun Authorization/Permit . . . . .	224
Unserved Felony Warrants or Capias Reporting . . . . .	224
Registration of Machine Guns . . . . .	225
<b>Supreme Court of Virginia</b>	
Support for Courts and Magistrates . . . . .	252
Indigent Representation . . . . .	253
Office Space for Constitutional Officers . . . . .	253
Virginia Freedom of Information Act . . . . .	254
Juror Costs . . . . .	254
<b>Taxation, Department of</b>	
Banks' Returns on Net Capital . . . . .	225
Taxpayer Assistance . . . . .	226
Annual Assessment Sales Ratio Study . . . . .	226
Income and Fiduciary Tax Returns . . . . .	227
Estimated Tax Payment . . . . .	227
Recordation and Will Taxes . . . . .	228
Real Estate Reassessment Standards . . . . .	228
Tax-Exempt Real Property Inventory . . . . .	229
Business, Professional, and Occupational License Tax Administrative Appeals Process . . . . .	230



# Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
<b>Technology Planning, Department of</b>	
Information Technology Access for the Visually Impaired . . . . .	230
Internet Privacy Policy . . . . .	230
<b>Transportation, Department of</b>	
Metropolitan Transportation Planning . . . . .	231
Statewide Transportation Planning Assistance . . . . .	231
VDOT Revenue Sharing Program . . . . .	232
Sidewalk and Storm Sewer Cost-Sharing . . . . .	232
Residential Cut-Through Traffic Policy . . . . .	233
Industrial Access Road . . . . .	233
Airport Access Road . . . . .	234
Recreational Access Road . . . . .	234
Subdivision Street Development Control . . . . .	235
Urban Street Construction . . . . .	235
Urban Street Payments . . . . .	236
Entrance to State Highway Standards . . . . .	236
Traffic Signs, Signals, and Markings . . . . .	237
Maintenance and Construction Operations . . . . .	237
Removal of Outdoor Advertising . . . . .	238
Transportation Enhancement Program . . . . .	238
Curb Ramp Standards . . . . .	239
Bridge Safety Inspection Standards . . . . .	239
Local Use of Transportation Funds . . . . .	240
Six-Year Secondary Improvement Plan . . . . .	240
Regulation of Truck Traffic . . . . .	241
Annual Mileage Report . . . . .	241
Americans With Disabilities Act . . . . .	242
Local Transportation Improvement District . . . . .	242
Highway Safety Improvement Program (HSIP) . . . . .	243
<b>Treasury, Department of the</b>	
Tax Law Compliance for Bond Sale to Virginia Public School Authority . . . . .	243
Investment of Virginia Public School Authority Bond Proceeds . . . . .	244
Virginia Public Building Authority Jail Construction Reimbursement Program . . . . .	244
Depositing Requirements for State Funds . . . . .	245
Exception Reporting by Public Depositor . . . . .	245
Uniform Disposition of Unclaimed Property . . . . .	246
Abandoned Real Property . . . . .	246
Blanket Fidelity Bond Program . . . . .	247

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
<b>Virginia Alcohol Safety Action Program, Commission on the</b>	
Virginia Alcohol Safety Action Program (VASAP) . . . . .	255
 <b>Virginia Workers' Compensation Commission</b>	
Virginia Workers' Compensation Act . . . . .	255
Workers' Compensation Information . . . . .	256
Notification of Rights for Victim of Crime . . . . .	256
 <b>Visually Handicapped, Department for the</b>	
Teachers for the Visually Impaired Partial Salary Reimbursement . . . . .	247
Operation of Vending Stand by Blind Person . . . . .	248
-----	
 <b>No State Oversight</b>	
National Affordable Housing Act Program . . . . .	257
Vehicle Inspection Sticker . . . . .	257
Noise Abatement . . . . .	258
Multi-County Transportation Improvement District . . . . .	258
Preparation of Local Plan by Licensed or Certified Professional . . . . .	259
Local Planning Commission . . . . .	259
Comprehensive Plan Adoption . . . . .	260
Subdivision Ordinance Adoption . . . . .	260
Board of Zoning Appeals . . . . .	261
Affordable Housing Promotion . . . . .	261
Local Government Grievance Procedure Adoption . . . . .	262
Local Government Grievance Procedure Filing . . . . .	262
Local Government Personnel Classification and Pay Plan . . . . .	263
Federal Anti-Discrimination Policy . . . . .	263
Constitutional Officer Personnel Benefits . . . . .	264
Paid Leave for Military Duty . . . . .	264
Uniform Fiscal Year . . . . .	265
Standards for Local Budget . . . . .	265
Virginia Public Procurement Act . . . . .	266
Real Estate Reassessment Notification . . . . .	266
Contractors License Required for Building Permit . . . . .	267
Community Oriented Policing Services Grant . . . . .	267
Family and Medical Leave . . . . .	268
Lobbying Disclosure . . . . .	268
Homeownership and Opportunity for People Everywhere Program (HOPE) . . . . .	269
Head Start Program . . . . .	269
Summer Food Service Program . . . . .	270
Mandatory Arrest in Family Violence Cases . . . . .	270

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
Police Misconduct . . . . .	271
Federal Labor Standards . . . . .	271
Single Audit . . . . .	272
Age Discrimination Act of 1975 . . . . .	272
Age Discrimination in Employment Act Amendments of 1986 . . . . .	273
Architectural Barriers Act . . . . .	273
Base Closure and Community Redevelopment Act of 1994 . . . . .	274
Cable Communications Policy Act of 1984 . . . . .	274
Child Nutrition Act of 1966 . . . . .	275
Civil Rights Act of 1964 . . . . .	275
Civil Rights Act of 1968 . . . . .	276
Civil Rights Restoration Act of 1987 . . . . .	276
Clean Air Act . . . . .	277
Clean Water Act . . . . .	277
Consolidated Omnibus Budget Reconciliation Act of 1985 . . . . .	278
Davis-Bacon Act . . . . .	278
Drug-Free Schools and Community Act . . . . .	279
Drug-Free Workplace Act of 1988 . . . . .	279
Education Amendments of 1972 . . . . .	280
Individuals with Disabilities Education Act . . . . .	280
Endangered Species Act of 1973 . . . . .	281
Equal Access Act . . . . .	281
Equal Employment Opportunity Act of 1972 . . . . .	282
Fair Housing Act Amendments of 1988 . . . . .	282
Fair Labor Standards Act Amendments of 1974 . . . . .	283
Federal Water Pollution Control Act . . . . .	283
Flood Disaster Protection Act of 1973 . . . . .	284
Food Stamp Act of 1977 . . . . .	284
Housing and Community Development Act of 1974 . . . . .	285
ICC Termination Act of 1995 . . . . .	285
Immigration Reform and Control Act of 1986 . . . . .	286
Juvenile Justice and Delinquency Prevention Act of 1974 . . . . .	286
Lead Containment Control Act of 1988 . . . . .	287
Multiethnic Placement Act . . . . .	287
National Apprenticeship Act of 1937 . . . . .	288
National Environmental Policy Act of 1969 . . . . .	288
National Historical Preservation Act of 1966 . . . . .	289
Ocean Dumping Ban Act . . . . .	289
Older Worker's Benefit Protection Act . . . . .	290
Omnibus Budget Reconciliation Act of 1990 . . . . .	290
Public Health Service Act . . . . .	291
Rehabilitation Act of 1973 . . . . .	291
Residential Lead-Based Paint Hazard Reduction Act of 1992 . . . . .	292
Social Security Amendments of 1983 . . . . .	292
Soldiers' and Sailors' Civil Relief Act Amendments of 1991 . . . . .	293

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Administering Agency and Mandate</u>	<u>Page Number</u>
Stewart B. McKinney Homeless Assistance Act . . . . .	293
Tax Reform Act of 1986 . . . . .	294
Uniform Relocation and Real Properties Acquisition Policies Act of 1970 . . . . .	294
Urban Mass Transportation Act of 1964 . . . . .	295
Voting Rights Language Assistance Act . . . . .	295
Water Quality Act of 1987 . . . . .	296
Water Resources Development Act of 1986 . . . . .	296
Health Insurance Portability and Accountability Act of 1996 . . . . .	297

## Introduction

### BACKGROUND TO THE CATALOG

In response to increasing interest in the effect of mandates on localities, the 1993 General Assembly enacted legislation directing the Commission on Local Government to compile and annually update a catalog of State and federal mandates imposed on the Commonwealth's local governments, including, where available, a summary of the fiscal impact of any new mandates.<sup>1</sup> This 2001 edition of the catalog published by the Commission on Local Government includes mandates identified as of August 21, 2000.<sup>2</sup> As in previous years, the Commission examined all legislation passed by the 2000 General Assembly,

---

<sup>1</sup> Code of Virginia § 15.2-2903(7).

<sup>2</sup>As was the case with previous editions, this most recent update is founded upon the prior research of the Joint Legislative Audit and Review Commission published in its two catalogs of mandates: the 1992 study, Intergovernmental Mandates and Financial Aid to Local Governments (H. D. 56/1992) and the 1993 Update: Catalog of State and Federal Mandates on Local Governments (hereinafter referred to as the 1993 Update). This 2001 electronic edition of the catalog is being published at this time so that it may accurately reflect the addition of the newly approved schedule of assessment periods for mandates administered by executive branch agencies of the Commonwealth. The Commission on Local Government, pursuant to the provisions of Executive Memorandum 1-98, adopted schedules proposed by executive branch agencies at its November 2000 meeting, and those schedules, which were subsequently approved by the Governor in January 2001, appear in this 2001 edition of the catalog. Except for recent assessment findings, no other substantive changes have been made since the publication of the 2000 catalog. All subsequent editions of the Catalog of State and Federal Mandates on Local Governments will be published in hard copy and on the Internet during the first quarter of each calendar year. Although no hard copy version of this 2001 edition will be published, each agency represented in the 2000 catalog (and other interested parties) have been informed of this electronic update by letter. That letter, the newly adopted assessment schedules, and the 2000 edition shall constitute the hard copy version of the 2001 catalog. The complete schedule of assessment periods for the February 2001 to April 2002 cycle may be found on the website of the Commission on Local Government at [www.clg.state.va.us](http://www.clg.state.va.us).

surveyed executive branch agencies, and contacted the local government associations (the Virginia Association of Counties and the Virginia Municipal League) for information on new mandates and mandates not previously identified.

In the development of this document, the Commission adhered to the definition of “mandate” originally adopted by the Joint Legislative Audit and Review Commission (JLARC) which defines a mandate as a State or federal constitutional, statutory, or administrative action that places a requirement on local governments.<sup>3</sup> This definition encompasses three categories or types of mandates: compulsory orders, conditions of financial aid, and the regulation of optional activities. Under this classification scheme, “compulsory orders” require local government compliance regardless of receipt of aid or other circumstances. Mandates termed “conditions of financial aid” require compliance only if the locality accepts the State or federal assistance in question. Finally, mandates classified as “regulation of optional activities” result from State or federal regulation of activities that local governments undertake voluntarily.

## **ASSOCIATED STATE OVERSIGHT OF MANDATES**

In addition to requiring that mandates be cataloged, the General Assembly has taken several other steps to monitor the effects of mandates on Virginia’s local governments.<sup>4</sup> For example, the legislature has directed the Division of Legislative Services to refer to the

---

<sup>3</sup>1993 Update. It is important to note that, as a result, this catalog does not include those requirements imposed on local governments by judicial decision nor by burden resulting from a reduction of State or federal financial assistance without a corresponding decrease in required services, which arguably also constitute mandates that can significantly affect localities.

<sup>4</sup> For a complete listing of the Virginia statutes regarding mandates on localities, see Appendix E.

## Catalog of State and Federal Mandates on Local Governments—2001

Commission on Local Government any bills introduced in the General Assembly that may require one or more local governments to render a new service or expand an existing service, or require a net reduction in revenues by any county, city, or town.<sup>5</sup> The Commission on Local Government must then conduct an investigation of such bills and prepare fiscal impact estimates to be filed with the Clerk of the House of Delegates for distribution to legislators considering those measures. These fiscal impact statements alert legislators to any adverse fiscal impacts that might result from the proposed legislation.

Further, in order to examine the fiscal as well as other impacts of existing mandates on localities, all State executive branch agencies are required to review periodically the mandates on local governments that they administer, and to report which, if any, might be altered or eliminated without interruption of local service delivery or undue threat to the health, safety, and welfare of citizens of the Commonwealth.<sup>6</sup> However, no mandate may be required to be reassessed by the administering agency more than once every four years. The Commission on Local Government is responsible for coordinating the scheduling of the assessments and for notifying the Governor and the General Assembly when an agency assessment recommends the alteration or elimination of a mandate.

The assessment of mandates by executive agencies is governed by Executive Memorandum 1-98 (EM 1-98) that took effect in October 1998, superseding EM 5-94 which

---

<sup>5</sup> Code of Virginia § 30-19.03.

<sup>6</sup> Code of Virginia §§ 2.1-7.1 and 15.2-2903(6).

had guided the assessment process from its inception.<sup>7</sup> Mandates adopted subsequent to the publication of the 1993 Update and those mandates in existence when the 1993 Update was published but not identified at that time have been scheduled for assessment during periods after July 1, 1996.<sup>8</sup> To that end the Commission on Local Government annually establishes a schedule for the assessment of those new and previously unreported mandates. In any case, no mandate becomes subject to assessment until it has been in effect for at least twenty-four months.

Finally, by action of the 1996 General Assembly, the Virginia Advisory Commission on Intergovernmental Relationships (ACIR), upon the request of the Virginia Association of Counties, the Virginia Municipal League, or any local governing body, may review the cost estimates prepared by the Commission on Local Government in its annual assessment of fiscal impact bills as well as any executive agency assessments of mandates. The ACIR must report

---

<sup>7</sup>Under the provisions of EM 5-94, agency assessments of mandates were to be conducted in two phases, the first ending March 31, 1995, and the second ending June 30, 1996. By the end of the second phase, all mandates identified in JLARC's 1993 Update and administered by executive branch agencies had been assessed. A parallel assessment process is also under way by which executive branch agencies will critically review their existing and proposed regulations. See Executive Order 24-98 ("Review of Emergency Regulations Proposed by State Agencies"), Executive Order 25-98 ("Development and Review of Regulations Proposed by State Agencies"), and Code of Virginia § 9-6.14:7.1 (economic impact analysis of proposed regulations). The Department of Planning and Budget is responsible for conducting fiscal impact analyses, for reviewing agency assessments, and for making recommendations to the Governor regarding the regulations. (See the Department of Planning and Budget's recently published report produced pursuant to Executive Order 15-94, "Comprehensive Review of Existing State Regulations.")

<sup>8</sup> As of September 8, 2000, 528 approved executive agency assessments (first- and second-time) were filed with the Governor and the General Assembly. Those filings included 100% of those mandates in existence at the commencement of the assessment process in 1994. Consistent with § 15.2-2903 of the Code of Virginia and Executive Memorandum 1-98, which authorize the reassessment of mandates after a four-year period, the Commission began the administration of a second round of assessments early in 1999.



annually its findings, if any, to the Governor and the General Assembly.<sup>9</sup>

## **ORGANIZATION OF THE CATALOG**

### **Generally**

The 2000 edition of the catalog provides an inventory of all the State and federal mandates on local governments in Virginia that had been identified as of August 21, 2000. The catalog is organized into two parts. Part A contains those mandates administered by the executive agencies of the Commonwealth, and Part B lists the remaining mandates which either are administered by nonexecutive agencies or exist without State administrative oversight. In all, 528 mandates are included in the catalog. Of the total, 435 mandates subject to critical review by executive agencies are included. This represents a net increase of 9 reviewable mandates (2.1%) over the 426 such mandates listed in the 1999 edition. Much of this increase is due to legislated programs not previously reported.<sup>10</sup>

### **Part A**

Part A of the catalog lists those mandates administered by executive branch agencies and subject to assessment pursuant to the provisions of EM 1-98. They are cataloged according to administering agency. Each mandate has a separate entry containing standardized data, including a short title; a unique code number; a brief description of the mandated action; identification of the type of mandate; the name of the administering agency and the relevant

---

<sup>9</sup> Code of Virginia § 2.1-335.2.

<sup>10</sup> See Appendix B, Changes in Mandates Since Issuance of 1999 Catalog of State and Federal Mandates on Local Governments.

secretariat; the statutory, regulatory, or constitutional authority on which the mandate is based; the mandate assessment period, if applicable; the assessment finding, where available; and additional applicable comments.<sup>11</sup>

## **Part B**

Part B lists those mandates not subject to assessment because they are administered by nonexecutive branch agencies or because there is no State administrative oversight of the required action. Each entry for the mandates listed in Part B includes the same general information as those in Part A, but in this section references to the secretariat, assessment period, and assessment finding have been omitted.

## **Appendices**

Detailed supplementary materials are provided in the appendices. Appendix A includes a copy of EM 1-98 which governs the mandates assessment process and contains a sample of the standardized format agencies are required to follow in conducting their assessments. Appendix B provides a separate listing of the changes in mandates since the publication of the 1999 edition: (1) new mandates, (2) newly identified mandates, (3) those mandates which

---

<sup>11</sup> Code numbers for mandates administered by executive agencies and subject to assessment are derived from the official abbreviations for the secretariat, followed by the official abbreviation for the administering agency and a three-digit number. Mandates not subject to review are identified as follows: judicial branch mandates begin with the letters “JUD,” followed by the official abbreviation for the appropriate court, and a three-digit number; legislative branch mandates begin with the letters “LEG,” followed by the official abbreviation of the agency, and a three-digit number; independent agency mandates begin with the letters “IND,” followed by the official abbreviation for the agency, and a three-digit number; mandates without State oversight begin with the letters “NSO,” followed by a three-digit number.

have been expanded, (4) mandates which have been eliminated, and (5) other changes.<sup>12</sup>

Appendix C provides a separate listing of the principal federal mandates that affect Virginia's localities, with a brief description of the mandate and a listing of the authorizing measure.

Examples of all of these federal mandates can be found with complete entries in Parts A and B of the catalog. Appendix D provides a table showing the number of mandates by type and by administering agency and secretariat. Finally, Appendix E includes a summary of the provisions of the Code of Virginia that apply to mandates, followed by the precise wording of the statutes.

## **Indices**

Two indices are provided to help the reader find information easily. The first, which precedes the introductory materials, lists each mandate by administering agency, short title, and page number. The second, found at the end of the volume, provides key word guides to the relevant entries and page numbers in the catalog.

---

<sup>12</sup> Expanded mandates are those which, by legislative action, have been broadened with respect to the requirements placed on local government.

## Catalog of State and Federal Mandates on Local Governments—2001

## **Part A**

### **Mandates Administered by State Executive Agencies**

## Catalog of State and Federal Mandates on Local Governments—2001

**Part A** of the catalog lists those mandates administered by executive branch agencies and subject to assessment pursuant to the provisions of EM 1-98. They are cataloged according to administering agency. Each mandate has a separate entry containing standardized data, including a short title; a unique code number; a brief description of the mandated action; identification of the type of mandate; the name of the administering agency and the relevant secretariat; the statutory, regulatory, or constitutional authority on which the mandate is based; the mandate assessment period, if applicable; the assessment recommendation or finding, where available; and additional applicable comments.

## Area Plan for Aging Services

SHHR.VDA001

Local governments may be designated as area agencies on aging. If so, they must comply with Title III of the Older Americans Act. They are required to prepare and implement an area plan for aging services that describes the scope of activities to be conducted with the federal and State funding received from the Department for the Aging.

Type: Condition of Financial Aid  
Agency: **Department for the Aging**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 2.1-373 et seq.; Department for the Aging Regulation 22 VAC 5-20-10 et seq.; 42 USC 3001 et seq. (Fed.); 45 CFR 1321 (Fed.)

Last Assessment Period: 5-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Enforcement of Comprehensive Animal Laws

SCT.VDACS002

Local law enforcement officers and State Veterinarian's representatives shall enforce the comprehensive animal laws of the Commonwealth.

Type: Compulsory Order  
Agency: **Department of Agriculture and Consumer Services**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 3.1-796.112

Last Assessment Period: 2-1-2000 through 5-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## USDA Food Program Participation Requirements

SCT.VDACS003

Local schools, summer feeding program sponsors, correctional facilities, and nursing homes electing to receive foods donated by the U.S. Department of Agriculture must store, utilize, and account for foods they receive in accordance with federal regulations. Local governments audit and report the value of these foods as federal assistance received annually.

Type: Regulation of Optional Activity  
Agency: **Department of Agriculture and Consumer Services**  
Secretariat: Commerce and Trade  
Authorization: Agricultural Adjustment Act of 1933 § 32, as amended (Fed.); Agricultural Act of 1946 § 416, as amended (Fed.); 7 CFR 250, 251 (Fed.)

Last Assessment Period: 2-1-2000 through 5-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Public Animal Holding Facility

SCT.VDACS004

Counties and cities must maintain or cause to be maintained a pound or animal enclosure in accordance with guidelines issued by the Department of Agriculture and Consumer Services.

Type: Compulsory Order  
Agency: **Department of Agriculture and Consumer Services**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 3.1-796.96; 2 VAC 5-110-10 et seq.

Last Assessment Period: 2-1-2000 through 5-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Cooperative Gypsy Moth Suppression Program

SCT.VDACS006

Local governments participating in the Virginia Gypsy Moth Cooperative Suppression Program and receiving State and federal funding must comply with specific provisions of the Virginia Cooperative Suppression Program Guidelines.

Type: Condition of Financial Aid  
Agency: **Department of Agriculture and Consumer Services**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia §§ 3.1-188.20 through 3.1-188.31:2; P. L. 95-313 (Fed.)

Last Assessment Period: 2-1-2000 through 5-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Plastic Pesticide Container Recycling Grant

SCT.VDACS007

Local governments receiving plastic pesticide container recycling grant funds must develop a plan to administer the program and to comply with other program requirements concerning the establishment of a secure, covered recycling site, and the employment and supervision of container inspectors.

Type: Condition of Financial Aid  
Agency: **Department of Agriculture and Consumer Services**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 3.1-249.29

Last Assessment Period: 3-1-1996 through 4-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 3-31-2001  
Comment:

## Local Government Arts Challenge Grant

SOE.VCA001

In order to receive matching funds through the Local Government Challenge Grants from the Virginia Commission for the Arts, localities must give financial support to not-for-profit arts organizations in their jurisdictions. The Commission will match money donated from local tax revenues to the arts, up to \$5,000.

Type: Condition of Financial Aid  
Agency: **Virginia Commission for the Arts**  
Secretariat: Education  
Authorization: Virginia Commission for the Arts 1998-2000 Guidelines for Funding

Last Assessment Period: 2-1-2000 through 4-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Artist in Residence Grant

SOE.VCA002

In order to receive funds through the Artist in Residence Grants Program from the Virginia Commission for the Arts, elementary and secondary schools must match the grant at least dollar for dollar. This program supports residencies by professional working artists in elementary and secondary schools.

Type: Condition of Financial Aid  
Agency: **Virginia Commission for the Arts**  
Secretariat: Education  
Authorization: Virginia Commission for the Arts 1998-2000 Guidelines for Funding

Last Assessment Period: 2-1-2000 through 4-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Airport Operation Standards

STO.DOAV001

Local governments that operate airports or air navigation facilities must maintain those facilities consistent with State and federal standards.

Type: Regulation of Optional Activity  
Agency: **Department of Aviation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 5.1-2.2; 24 VAC 5-20-140, 24 VAC 5-20-300; 14 CFR 139 (Fed.)

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Airport Licensing

STO.DOAV002

Local governments that sponsor airports must secure a license from the Department of Aviation in order to operate or expand a public-use airport. Such license must be renewed every seven years.

Type: Regulation of Optional Activity  
Agency: **Department of Aviation**  
Secretariat: Transportation  
Authorization: Code of Virginia §§ 5.1-7; 24 VAC 5-20-120, 24 VAC 5-20-180, 24 VAC 5-20-280

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Airport Property Lease

STO.DOAV003

Local governments that sponsor airports must obtain the approval of the Department of Aviation on all leases involving land that is airport property.

Type: Regulation of Optional Activity  
Agency: **Department of Aviation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 5.1-40

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Airport Grant Application Approval

STO.DOAV004

Local government airport sponsors that apply for federal funds for airport planning or construction projects must have approval of the application from the Department of Aviation prior to submitting it to the Federal Aviation Administration.

Type: Condition of Financial Aid  
Agency: **Department of Aviation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 5.1-47

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Airport Grant Assurances

STO.DOAV005

Local government airport sponsors that accept grant or loan funds from the Virginia Aviation Board must agree to terms and conditions as set forth by the Board. Such terms and conditions require that the sponsor: maintain the airport for a minimum of twenty years, carry out and complete the project in accordance with the plans and specifications of the project for which the funds were provided, accomplish all procurements in accordance with the Virginia Public Procurement Act, keep the airport free and clear of hazards to air navigation, and not release title to any airport real property without the approval of the Department of Aviation.

Type: Condition of Financial Aid  
Agency: **Department of Aviation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 5.1-52; 24 VAC 5-20-330

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Airport Safety Overlay Zoning

STO.DOAV006

Local governments in which a public-use airport is located as well as those that are in close proximity to such an airport are required to adopt overlay zoning that keeps the airspace free from obstruction to the safe passage of aircraft.

Type: Compulsory Order  
Agency: **Department of Aviation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 15.2-2294; 24 VAC 5-20-190 through 24 VAC 5-20-220

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Based Aircraft Survey

STO.DOAV007

Local governments that sponsor airports must submit a survey of all based aircraft to the Department of Aviation. Such survey must be submitted annually and include ownership and aircraft registration for all aircraft normally sited on the airport as of January 1 of each year.

Type: Regulation of Optional Activity  
Agency: **Department of Aviation**  
Secretariat: Transportation  
Authorization: 24 VAC 5-20-350

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Airport Financial Responsibility

STO.DOAV008

Local governments that sponsor airports are required to have bodily injury and property damage liability insurance equal to at least \$1 million. Proof of insurance or other acceptable form of financial responsibility must be certified to the Department of Aviation on an annual basis.

Type: Regulation of Optional Activity  
Agency: **Department of Aviation**  
Secretariat: Transportation  
Authorization: Code of Virginia §§ 5.1-88.7 through 5.1-88.10; 24 VAC 5-20-350

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Chesapeake Bay Preservation Area Designation

SNR.CBLAD001

Local governments in Tidewater Virginia are required to designate Chesapeake Bay Preservation Areas within their jurisdictions.

Type: Compulsory Order  
Agency: **Chesapeake Bay Local Assistance Department**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-2109.A; Chesapeake Bay Local Assistance Board Regulations 9 VAC 10-20-30, 9 VAC 10-20-60.A, 9 VAC 10-20-210.A; 1987 Cooperative Chesapeake Bay Agreement

Last Assessment Period: 4-1-1995 through 5-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2002 through 4-30-2002  
Comment:

---

## Comprehensive Plan Requirements in Tidewater

SNR.CBLAD002

Local governments in Tidewater Virginia are required to incorporate in each locality's comprehensive plan measures to protect the quality of State waters.

Type: Compulsory Order  
Agency: **Chesapeake Bay Local Assistance Department**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-2109.B; Chesapeake Bay Local Assistance Board Regulations 9 VAC 10-20-30, 9 VAC 10-20-60.A, 9 VAC 10-20-210.A; 1987 Cooperative Chesapeake Bay Agreement

Last Assessment Period: 4-1-1995 through 5-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2002 through 4-30-2002  
Comment:

## **Zoning Ordinance Requirements in Tidewater**

SNR.CBLAD003

Local governments in Tidewater Virginia are required to have zoning ordinances that incorporate measures to protect the quality of State waters in the Chesapeake Bay Preservation Areas, and to ensure that all development pursuant to their zoning ordinances comply with the criteria developed by the Chesapeake Bay Local Assistance Board.

Type: Compulsory Order  
Agency: **Chesapeake Bay Local Assistance Department**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-2109.C; Chesapeake Bay Local Assistance Board Regulations 9 VAC 10-20-30, 9 VAC 10-20-60.A, 9 VAC 10-20-210.A; 1987 Cooperative Chesapeake Bay Agreement

Last Assessment Period: 4-1-1995 through 5-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2002 through 4-30-2002  
Comment:

---

## **Development Review Requirements in Tidewater**

SNR.CBLAD004

Local governments in Tidewater Virginia are required to have a plan of development review process prior to the issuance of a building permit to ensure the use and development of land in Chesapeake Bay Preservation Areas is accomplished in a manner that protects the quality of State waters.

Type: Compulsory Order  
Agency: **Chesapeake Bay Local Assistance Department**  
Secretariat: Natural Resources  
Authorization: Chesapeake Bay Local Assistance Board Regulations 9 VAC 10-20-30, 9 VAC 10-20-60.A, 9 VAC 10-20-210.A; 1987 Chesapeake Bay Agreement

Last Assessment Period: 4-1-1995 through 5-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2002 through 4-30-2002  
Comment:



## Subdivision Ordinance Requirements in Tidewater

SNR.CBLAD005

Local governments in Tidewater Virginia are required to incorporate protection of the quality of State waters in Chesapeake Bay Preservation Areas in their subdivision ordinances, and to ensure that all subdivisions comply with the criteria developed by the Chesapeake Bay Local Assistance Board.

Type: Compulsory Order  
Agency: **Chesapeake Bay Local Assistance Department**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-2109.D; Chesapeake Bay Local Assistance Board Regulations 9 VAC 10-20-30, 9 VAC 10-20-60.A, 9 VAC 10-20-210.A; 1987 Cooperative Chesapeake Bay Agreement

Last Assessment Period: 4-1-1995 through 5-31-1996

Last Assessment Finding: Retain.

Current Assessment Period: 2-1-2002 through 4-30-2002

Comment:

---

## Erosion Ordinance Requirements in Tidewater

SNR.CBLAD006

Local governments in Tidewater Virginia are required to have erosion and sediment control ordinances that incorporate measures to protect the quality of State waters in Chesapeake Bay Preservation Areas, and to ensure that all development pursuant to their erosion and sediment control ordinances comply with the criteria developed by the Chesapeake Bay Local Assistance Board.

Type: Compulsory Order  
Agency: **Chesapeake Bay Local Assistance Department**  
Secretariat: Natural Resources  
Authorization: Chesapeake Bay Local Assistance Board Regulations 9 VAC 10-20-30, 9 VAC 10-20-60.A, 9 VAC 10-20-210.A; 1987 Cooperative Chesapeake Bay Agreement

Last Assessment Period: 4-1-1995 through 5-31-1996

Last Assessment Finding: Retain.

Current Assessment Period: 2-1-2002 through 4-30-2002

Comment:

## Land Development Requirements in Tidewater

SNR.CBLAD007

Local governments in Tidewater Virginia are required to employ performance criteria promulgated by the Chesapeake Bay Local Assistance Board to ensure that the use and development of land in Chesapeake Bay Preservation Areas protects the quality of State waters.

Type: Compulsory Order  
Agency: **Chesapeake Bay Local Assistance Department**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-2111; Chesapeake Bay Local Assistance Department Board Regulations 9 VAC 10-20-30, 9 VAC 10-20-60.A, 9 VAC 10-20-210.A; 1987 Cooperative Chesapeake Bay Agreement

Last Assessment Period: 4-1-1995 through 5-31-1996

Last Assessment Finding: Retain.

Current Assessment Period: 2-1-2002 through 4-30-2002

Comment:

---

## Administration of Apprenticeship-Related Instruction

SOE.VCCS001

Local school divisions electing to offer apprenticeship-related instruction must provide instruction, curriculum development, supervision, and administrative services consistent with policies established by the State Board for Community Colleges and the Virginia Community College System.

Type: Regulation of Optional Activity  
Agency: **Virginia Community College System**  
Secretariat: Education  
Authorization: Code of Virginia §§ 23-218(D) and 40.1-118(10)

Last Assessment Period: 10-1-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 1-1-2001 through 3-31-2001

Comment: Chapter 486 of the 1996 Acts of Assembly transferred the authority for the establishment of policy for apprenticeship-related instruction from the Department of Labor and Industry to the Virginia Community College System effective July 1, 1996. Program initially assessed by the Department of Labor and Industry.

## Constitutional Officer Legal Expenses

SOA.CB001

Local governments and the Commonwealth are required to pay proportional shares of the attorney fees for constitutional officers or law enforcement officers in civil cases arising out of their official duties.

Type: Compulsory Order  
Agency: **Compensation Board**  
Secretariat: Administration  
Authorization: Code of Virginia §§15.2-1606, 15.2-1711

Last Assessment Period: 2-1-2000 through 3-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for assessment.

---

## Constitutional Officer Annual Budget Request

SOA.CB002

Each city and county must elect a treasurer, clerk of court, commissioner of revenue, sheriff, and attorney for the Commonwealth. All constitutional officers shall file, on or before February 1 of the fiscal year for which the request is made, a request for the expense of their offices. The requests shall be made in the manner prescribed by the Compensation Board.

Type: Compulsory Order  
Agency: **Compensation Board**  
Secretariat: Administration  
Authorization: Code of Virginia §§ 15.2-1600, 15.2-1636.7, 15.2-1636.18

Last Assessment Period: 2-1-2000 through 3-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for assessment.

---

## Funding Constitutional Officer Expenses

SOA.CB003

The salaries, expenses, allowances, and office equipment of constitutional officers shall be paid for in full by all counties and cities, and the State shall reimburse the counties and cities for their approved, proportional share.

Type: Compulsory Order  
Agency: **Compensation Board**  
Secretariat: Administration  
Authorization: Code of Virginia §§ 15.2-1636.13, 15.2-1636.14, 15.2-1609.7, 17.1-287

Last Assessment Period: 2-1-2000 through 3-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for assessment.

---

## Jail Inmate Reporting

SOA.CB004

Local or regional jails that receive funding from the Compensation Board shall report inmate populations to the Board monthly. Such reports shall utilize Virginia Crime Codes for reporting offenses for which inmates are incarcerated.

Type: Compulsory Order  
Agency: **Compensation Board**  
Secretariat: Administration  
Authorization: Code of Virginia §§ 53.1-115.1 and 53.1-121

Last Assessment Period:  
Last Assessment Finding:  
Current Assessment Period:  
Comment: Not currently scheduled for assessment.

## Jail Revenues and Expenditures Reporting

SOA.CB005

Local or regional jails and jail farms which receive funds from the Compensation Board shall provide to the Board all sources and amounts of revenues and all expenditures associated with facility operations. Data shall be provided in a manner prescribed by the Board.

Type: Compulsory Order  
Agency: **Compensation Board**  
Secretariat: Administration  
Authorization: Item 60, Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 2-1-2001 through 3-31-2001

Comment:

---

## Contract Inmate Classification Reporting

SOA.CB006

Local or regional jails holding contract prisoners from another state, the federal government, or the District of Columbia for more than 48 hours must report monthly to the Director of the Department of Corrections the security classification of each contract inmate and the security level of the housing unit in which the inmate is held.

Type: Compulsory Order  
Agency: **Compensation Board**  
Secretariat: Administration  
Authorization: Item 64, Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999; not currently scheduled for assessment.

## **Comprehensive Services for At-Risk Youth and Families**

CSA.001

The Comprehensive Services Act for At-Risk Youth and Families of 1992 requires local governments to coordinate services for youth and families in order to receive State funds for care and treatment of troubled and at-risk youths and families.

Type: Condition of Financial Aid  
Agency: **Office of Comprehensive Services**  
Secretariat: Not applicable  
Authorization: Code of Virginia §§ 2.1-750 et seq. and § 9-6.25:3; Item 293.10, Chapter 1073, 2000 Virginia Acts of Assembly; P. L. 96- 272 (Fed.); 20 USC 1400 through 1485 (Fed.); 34 CFR 300 (Fed.); 45 CFR 1355 through 57 (Fed.)

Last Assessment Period: 8-1-2000 through 10-31-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: This mandate is administered by the Office of Comprehensive Services which staffs the State Executive Council, a supervisory body that includes representatives of several secretariats, the Supreme Court of Virginia, and local governments. Not currently scheduled for reassessment.

---

## **Virginia Outdoors Fund - State Grants and Loans**

SNR.DCR001

Local governments receiving grants from the Virginia Outdoors Fund Program for parks and open spaces must agree to maintain those facilities for outdoor recreation in perpetuity. Local governments receiving loans from that fund for parks and open spaces must agree to maintain those facilities for recreation for a period of ten years after project completion.

Type: Condition of Financial Aid  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 58.1-345.1

Last Assessment Period: 4-1-1999 through 6-30-1999

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## **Land and Water Conservation Program - Federal Grants**

SNR.DCR002

Local governments receiving funds from the Land and Water Conservation Program are required to maintain park and open spaces for outdoor recreation in perpetuity. The program requires continuous inspections by the State to effect the program mandate.

Type: Condition of Financial Aid  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Land and Water Conservation Fund Act of 1965 (P. L. 88-578) (Fed.)

Last Assessment Period: 4-1-1999 through 6-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## **Flood Prevention and Protection Assistance Fund**

SNR.DCR003

Local governments receiving money from the Flood Prevention and Protection Assistance Fund must comply with requirements established by the Director of the Department of Conservation and Recreation.

Type: Condition of Financial Aid  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-603.18; Department of Conservation and Recreation Regulations 4 VAC 5-50-10 through 4 VAC 5-50-170

Last Assessment Period: 4-1-1999 through 6-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Perpetual Conservation Easement

SNR.DCR004

Local governments that have adopted use-value assessment programs must assess and tax land which is subject to a perpetual conservation easement under the Virginia Conservation Easement Act or the Open-Space Land Act at the use value for open space.

Type: Regulation of Optional Activity  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1011; Department of Conservation and Recreation Regulations 4 VAC 5-20-10 through 4 VAC 5-20-40; Standards for Classification of Real Estate as Devoted to Open Space use under the Virginia Land Use Assessment Law.

Last Assessment Period: 4-1-1999 through 6-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Virginia Impounding Structure Regulations

SNR.DCR005

Local governments that own dams must make any improvements necessary to correct deficiencies in construction or maintenance found during required inspections.

Type: Regulation of Optional Activity  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-604 et seq.; Virginia Soil and Water Conservation Board Regulations 4 VAC 50-20-10 through 4 VAC 50-20-320; P.L. 92-367 (Fed.)

Last Assessment Period: 4-1-1999 through 6-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---



## Stormwater Management Program

SNR.DCR006

Local governments adopting local comprehensive stormwater management programs must comply with minimum technical and administrative criteria specified by the regulations.

Type: Regulation of Optional Activity  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-603 et seq.; Board of Conservation and Recreation Regulations 4 VAC 3-20-10 through 4 VAC 3-20-251

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Public Beach Grants and Advisory Commission

SNR.DCR007

Local governments must establish local erosion advisory commissions in order to qualify for Public Beach Conservation and Development Act funds.

Type: Condition of Financial Aid  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-709, 711; Board on the Conservation and Development of Public Beaches Regulation 4 VAC 45-10-20

Last Assessment Period: 4-1-1999 through 6-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Erosion and Sediment Control Program

SNR.DCR008

Local governments which have adopted an erosion and sediment control program must administer it in a manner consistent with State guidelines and minimum standards. Administration is provided by local governments through ordinances, plan review, inspections, and enforcement.

Type: Regulation of Optional Activity  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-560 et seq.; Virginia Soil and Water Conservation Board Regulations 4 VAC 50-30-10 et seq., 4 VAC 50-50-10 et seq.

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Virginia Recreational Trails Program

SNR.DCR009

Local governments receiving funds from the Virginia Recreational Trails Program are required to provide a 20% match.

Type: Condition of Financial Aid  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Symms National Recreational Trails Act of 1991 (P. L. 102-240) (Fed.); 49 CFR 18 and 19 (Fed.)

Last Assessment Period: 3-1-1998 through 6-30-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## **Virginia Water Quality Improvement Fund Nonpoint Source Pollution Control Grant**

SNR.DCR010

Local governments receiving grants from the Virginia Water Quality Improvement Fund for nonpoint source pollution control must comply with the guidelines established by the Secretary of Natural Resources and grant requirements established by the Director of the Department of Conservation and Recreation.

Type: Condition of Financial Aid  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 10.1-2117 et seq.

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding:  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## **Federal Clean Water Act - Section 319 Nonpoint Source Pollution Control Grant**

SNR.DCR011

Local governments receiving Section 319 grants must comply with State and federal requirements.

Type: Condition of Financial Aid  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-104.1; 33 USC 26, Subchapter III § 1329 (P.L. 100-4) (Fed.)

Last Assessment Period:  
Last Assessment Finding:  
Current Assessment Period: 4-1-2001 through 6-30-2001  
Comment:

## Virginia Land Conservation Foundation Grants

SNR.DCR012

Local governments receiving grants from the Virginia Land Conservation Foundation must provide a 100% cash match.

Type: Condition of Financial Aid  
Agency: **Department of Conservation and Recreation**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 10.1-1017 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 4-1-2001 through 6-30-2001

Comment:

---

## Correctional Facility Standards

SPS.DOC001

Local governments that operate jails or lockups must comply with Board of Corrections regulations concerning construction, equipment, administration, and operation of local correctional facilities.

Type: Regulation of Optional Activity  
Agency: **Department of Corrections**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 53.1-5, 53.1-68 et seq., 53.1-80 through 53.1-82.3; Board of Corrections Regulations 6 VAC 15-10-10 et seq., 6 VAC 15-80-10 et seq.

Last Assessment Period: 5-1-1999 through 7-31-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Correctional Facility Cost-Sharing

SPS.DOC002

Local governments shall bear at least one-half of the cost of constructing or renovating correctional facilities, and no State reimbursement shall occur unless plans and specifications have been approved in advance by the Governor. Correctional facility maintenance costs shall be borne by localities.

Type: Condition of Financial Aid  
Agency: **Department of Corrections**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 53.1-5, 53.1-68, 53.1-80 through 53.1-82.3, 53.1-95.2; Board of Corrections Regulations 6 VAC 15-80-10 et seq.

Last Assessment Period: 8-1-1999 through 10-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Residential Centers for Parolees

SPS.DOC004

To receive certification and funding, local governments participating in the contracted bed space program for housing parolees and inmates being released from prison are required to comply with Board of Corrections regulations for residential centers.

Type: Regulation of Optional Activity  
Agency: **Department of Corrections**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 53.1-5, 53.1-178; Board of Corrections Regulations 6 VAC 15-70-10 et seq.

Last Assessment Period: 2-1-2000 through 4-30-2000  
Last Assessment Finding: Eliminate.  
Current Assessment Period:  
Comment:

## Correctional Facility Compliance Audit

SPS.DOC005

Local governments that operate jails, lockups, or residential centers are required by the Board of Corrections standards to participate in a compliance audit once every two to three years. The standards require local programs to address (1) life, health, and safety issues; (2) management and administrative matters; and (3) offender programs and services. Local correctional facilities are also required to undergo one annual unannounced inspection by the Board of Corrections as well as one annual unannounced inspection by the State Health Commissioner.

Type: Regulation of Optional Activity  
Agency: **Department of Corrections**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 53.1-5, 53.1-68, 53.1-182; Board of Corrections Regulations 6 VAC 15-10-10 et seq., 6 VAC 15-20-10 et seq., 6 VAC 15-70-10 et seq.

Last Assessment Period: 5-1-2000 through 7-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Forfeited Asset Sharing Program (FASP)

SPS.DCJS001

Local law enforcement agencies seizing drug-related cash or assets under State law and through State courts are required to comply with policies and procedures established by the Department of Criminal Justice Services. Those regulations require that 90% of forfeitures be returned to the localities that originated the seizures/forfeitures, and that the returned funds must be used for law enforcement purposes.

Type: Regulation of Optional Activity  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 19.2-386.1 et seq.; Criminal Justice Services Board Regulation 6 VAC 20-150-10 et seq.

Last Assessment Period: 9-1-1999 through 11-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Criminal History Record Information

SPS.DCJS002

Local criminal justice agencies must establish record keeping procedures that ensure that criminal history record information is accurate, complete, timely, electronically and physically secure, and disseminated only to those legally entitled to receive such information. There are also detailed procedures that must be followed regarding the dissemination of criminal history record information and for expunging records.

Type: Compulsory Order  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 9-167 through 9-173, 9-184 through 9-195 , 15.2-1722, 19.2-389, 19.2-390, 19.2-392 through 19.2-392.4; Criminal Justice Services Board Regulation 6 VAC 20-130-10 et seq.

Last Assessment Period: 8-1-1999 through 10-31-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## McGruff House Program

SPS.DCJS003

Local governments establishing McGruff Houses must comply with all federal and State regulations governing the establishment and operation of neighborhood "safe houses" where children may seek temporary refuge if they find themselves in danger.

Type: Regulation of Optional Activity  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 9-173.17, 9-173.18; Criminal Justice Services Board Regulation 6 VAC 20-140-10 et seq.

Last Assessment Period: 9-1-1999 through 11-30-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Edward Byrne Memorial Grant

SPS.DCJS005

Local governments participating in the Edward Byrne Memorial grant program are required to establish and operate programs to support crime prevention and school safety, improve law enforcement and prosecution, provide drug abuse treatment for offenders, and to make other criminal justice system improvements. Local governments receiving funds for such projects are required to provide a 25% match, and to report periodically on expenditures and on progress toward achieving the objectives of the grant.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 9-170; Department of Criminal Justice Services Program Guidelines; Omnibus Crime Control and Safe Streets Act, as amended (Fed.)

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Juvenile Delinquency Prevention and Juvenile Justice System Improvement Grants

SPS.DCJS006

Local governments receiving grants for juvenile delinquency prevention and juvenile justice system improvement are required to establish and operate programs to improve services for delinquent youth and to submit local prevention plans. Localities are also required to provide a cash or in-kind match for some grants, and to report periodically on expenditures and on progress toward achieving the objectives of the grant.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 9-170; Department of Criminal Justice Services Program Guidelines; Juvenile Justice and Delinquency Prevention Act (Fed.); 28 CFR 31 (Fed.)

Last Assessment Period: 8-1-1999 through 10-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Alcohol Detoxification Center Program

SPS.DCJS007

Local governments receiving State funds for alcohol detoxification centers are required to establish and operate such centers in compliance with State standards, including the creation of a community criminal justice board. Localities are also required to report periodically on expenditures and on progress toward achieving objectives of the program.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 9-173.1, 9-173.2, 18.2-388, 53.1-182.1; Department of Criminal Justice Services Program Guidelines

Last Assessment Period: 8-1-2000 through 10-31-2000

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Training Standards for Criminal Justice Personnel

SPS.DCJS008

Local criminal justice personnel, including law enforcement officers, courtroom security personnel, process servers, jailers, dispatchers, undercover investigators, and criminal justice instructors are required to meet training requirements established by the Criminal Justice Services Board.

Type: Compulsory Order  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 9-170

Last Assessment Period: 3-1-1994 through 12-31-1994

Last Assessment Finding: Retain.

Current Assessment Period: 10-1-2000 through 12-31-2000

Comment: Current assessment is pending.

## **Intensified Drug Enforcement Assistance (IDEA) Grant**

SPS.DCJS010

Local governments receiving Intensified Drug Enforcement Assistance grants are required to establish programs, deliver services, or conduct activities as set out in grant documents. Localities are also required to report periodically on expenditures and on progress toward achieving objectives of the grant.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 14.1-133.3, 15.2-1715; Department of Criminal Justice Services Program Guidelines

Last Assessment Period: 7-1-1995 through 9-30-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 9-1-2000 through 11-30-2000  
Comment: Current assessment is pending.

---

## **Crime Victim Services Grant**

SPS.DCJS011

Local governments receiving victim services grants are required to establish and operate programs to provide services to victims of crime in accordance with Department of Criminal Justice Services guidelines established to implement the Crime Victim and Witness Rights Act. Localities are also required to report periodically on expenditures and on progress toward achieving the objectives of the grant.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 9-173.3 and 19.2-11.01 et seq.; Department of Criminal Justice Services Program Guidelines; P.L. 98-473 (Victims of Crime Act) (Fed.)

Last Assessment Period: 9-1-1994 through 11-30-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2000 through 12-31-2000  
Comment: Current assessment is pending.

## **Court-Appointed Special Advocate Program (CASA)**

SPS.DCJS012

Local governments electing to operate court-appointed special advocate programs must comply with regulations governing the selection and training of volunteer advocates, program administration, record keeping and reporting.

Type: Regulation of Optional Activity  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 9-173.6 through 9-173.8; Criminal Justice Services Board Regulation 6 VAC 20-160-10 et seq.

Last Assessment Period: 2-1-1997 through 4-30-1997

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: The agency recommends expansion of the program. Not currently scheduled for reassessment.

---

## **Comprehensive Community Corrections Program**

SPS.DCJS013

Local governments receiving financial assistance from the State for jail construction are required to establish a Community Corrections Program to the extent that the General Assembly provides funds for establishing such programs. Localities participating in a Community Corrections Program also must comply with State standards and reporting requirements, including the creation of a community criminal justice board.

Type: Regulation of Optional Activity  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 53.1-82.1 and 53.1-180 through 185.3 (Comprehensive Community Corrections Act for Local-Responsible Offenders); Department of Criminal Justice Services Program Guidelines

Last Assessment Period: 2-1-1997 through 4-30-1997

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Community Policing Fund

SPS.DCJS014

Local governments receiving a grant from the Community Policing Fund are required to establish and operate community policing initiatives. Participants are required to provide a 25% cash match or to request a waiver of the match requirement after demonstrating financial hardship, and to report periodically on expenditures and on progress toward achieving the objectives of the grant.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 58.1-346.5; Department of Criminal Justice Services Program Guidelines

Last Assessment Period: 2-1-1998 through 4-30-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Crime Prevention Grants

SPS.DCJS015

Local governments receiving grants for crime prevention programs are required to establish and operate programs to identify and assess the risks of crime, to remove them, if possible, and to reduce the fear of crime. Localities are also required to report periodically on expenditures and on progress toward achieving the objectives of their grants.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 9-170 and 173.16; Department of Criminal Justice Services Program Guidelines

Last Assessment Period: 2-1-1998 through 4-30-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## STOP Violence Against Women Grants

SPS.DCJS016

Local governments receiving STOP grants to establish and operate programs which combat violent crime against women through enhancement of the criminal justice response or victims services must comply with Department of Criminal Justice Services program guidelines.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 9-170; Violence Against Women Act (Title IV, P. L. 103-322) (Fed.); Department of Criminal Justice Services Program Guidelines

Last Assessment Period: 2-1-1998 through 4-30-1998  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Pretrial Services Program

SPS.DCJS017

Local governments receiving financial assistance from the State for jail construction are required to establish a Pretrial Services Program to the extent that the General Assembly provides funds for establishing such programs. Localities participating in a Pretrial Services Program must comply with State standards and reporting requirements, including the creation of a community criminal justice board.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 19.2-152.2 through 19.2-152.7 and § 53.1-82.1; Department of Criminal Justice Services Program Guidelines

Last Assessment Period: 2-1-1998 through 4-30-1998  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Virginia Weed and Seed Initiative Program

SPS.DCJS018

Local governments receiving Virginia Weed and Seed Initiative grants are required to establish programs, deliver services, and conduct activities as set out in their proposals. Localities are also required to report periodically on expenditures and on progress toward achieving objectives of the proposal.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 9-170

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 9-1-2000 through 11-30-2000

Comment: Current assessment is pending.

---

## Preliminary Alcohol Analysis of Breath

SPS.DCJS019

Sheriffs' and police departments, in analyzing breath samples for blood alcohol content, must use methods and equipment approved by the Department of Criminal Justice Services, Division of Forensic Science.

Type: Regulation of Optional Activity  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 18.2-267; Regulations for Breath Alcohol Testing 1 VAC 30-50-150

Last Assessment Period: 7-1-1994 through 8-1-1994

Last Assessment Finding: Retain.

Current Assessment Period: 9-1-2000 through 11-30-2000

Comment: By action of the 1996 General Assembly this program was removed from the administration of the Department of General Services and placed under the Department of Criminal Justice Services. Current assessment is pending.

## Local Law Enforcement Block Grant Program

SPS.DCJS020

Local governments receiving federal Local Law Enforcement Block Grant Program funds are required to use the grant for one or more of seven purpose areas set out in the authorizing legislation and must provide a 10% match.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Federal Local Government Law Enforcement Block Grant Act of 1995

Last Assessment Period: 9-1-1999 through 11-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment:

---

## Training Standards for Animal Control Officers

SPS.DCJS021

Local Animal Control Officers are required to meet entry level training requirements, approved by the Department of Criminal Justice Services and the State Veterinarian, within two years of date of employment and retraining requirements every thirty six months thereafter.

Type: Compulsory Order  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 3.1-796.104:1

Last Assessment Period: 1-3-1994 through 8-1-1994  
Last Assessment Finding: Retain.  
Current Assessment Period:

Comment: Program effective April 1, 1999; not currently scheduled for assessment. This program was previously administered and assessed by the Department of Agriculture and Consumer Services. Action of the 1998 General Assembly placed the program under the Department of Criminal Justice Services.

## School Resource Officer Grants

SPS.DCJS022

Local governments receiving Virginia School Resource Officer Program grants are required to provide a cash match based on the Department of Education's composite index for local school divisions. Resource officers hired to work in such local programs must be sworn Virginia law enforcement officers.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 9-171.1; Criminal Justice Services Board Grant Program Guidelines

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999; not currently scheduled for assessment.

---

## Juvenile Accountability Incentive Block Grant

SPS.DCJS023

Local governments receiving Juvenile Accountability Incentive Block Grants must form a Juvenile Crime Enforcement Coalition (JCEC) and submit the JCEC plan for spending in allowable federal purpose areas to the Department of Criminal Justice Services.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: P. L. 105-119 (Fed.); Juvenile Accountability Incentive Block Grant Program guidelines in Title III of H. R. 3 (Fed.)

Last Assessment Period: 8-1-2000 through 10-31-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.



## Rural Domestic Violence Grant Program

SPS.DCJS024

Local governments receiving grants from the Rural Domestic Violence Grant program must comply with Department of Criminal Justice Services program guidelines.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 9-171; 42 USC 3701 (Fed.), 42 USC 13971 (Fed.); Department of Criminal Justice Services Program Guidelines

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective June 20, 2000; not currently scheduled for assessment. Fiscal impact: Data not available.

---

## Sexual Assault Services Grant Program

SPS.DCJS025

Local governments receiving grants from the sexual assault services grants program must comply with Department of Criminal Justice Services program guidelines.

Type: Condition of Financial Aid  
Agency: **Department of Criminal Justice Services**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 32.1-11.1 through 32.1-11.2, 32.1-35 through 32.1-73, 32.1-55.1; P.L. 98-473 (Victims of Crime Act) (Fed.), 42 USC 1901 - 1909 (Preventive Health and Health Services) (Fed.); Department of Criminal Justice Services Program Guidelines

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective October 1, 1999. Mandate not previously reported by administering agency; not currently scheduled for assessment. This grant program was previously administered by the Department of Health.

## Superintendent of School Division Required

SOE.DOE001

School divisions are required to have a superintendent of schools. The superintendent must be appointed by the school board of the school division from the entire list of eligible candidates certified by the State Board of Education. Each school division shall provide for the necessary travel and office expenses of the superintendent.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-58 et seq.; State Board of Education Regulations 8 VAC 20-20-10, 8 VAC 20-390-10, 8 VAC 200-400-10

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 3-31-2001  
Comment:

---

## School Board Employee Grievance Procedure

SOE.DOE002

School divisions must have prescribed grievance procedures covering all school employees except superintendents and probationary employees.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-79, 22.1-306 et seq.; State Board of Education Regulation 8 VAC 20-90-10

Last Assessment Period: 5-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Child Abuse/Molestation Offense Certification Required

SOE.DOE003

School divisions shall require that each applicant for employment certify that he or she has not been convicted of any offense involving child abuse or molestation.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-296.1, 22.1-296.4; State Board of Education Regulation 8 VAC 20-21-10

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 5-1-2001 through 6-30-2001  
Comment:

---

## Teacher License Required

SOE.DOE004

School divisions may only employ as teachers those persons who hold licenses or provisional licenses issued by the State Board of Education, or those who hold a three-year eligibility license issued by the division.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-299 et seq.; State Board of Education Regulations 8 VAC 20-21-10 et seq., 8 VAC 20-440-10 et seq.

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 5-1-2001 through 6-30-2001  
Comment:

## Licensed Principals and Assistant Principals

SOE.DOE005

Any principals or assistant principals employed by a school division must hold licenses as prescribed by the State Board of Education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-293 et seq.; State Board of Education Regulations 8 VAC 20-20-10, 8 VAC 20-440-10

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 5-1-2001 through 6-30-2001  
Comment:

---

## School Board Employee Fingerprinting and Criminal History Records

SOE.DOE006

Local school divisions shall require any individual who accepts a position of employment to undergo fingerprinting and a criminal history records check.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-296.2

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:

Comment: This mandate was expanded by the 2000 General Assembly (Chapter 683, 2000 Virginia Acts of Assembly) to include all school divisions in the Commonwealth. Not currently scheduled for reassessment.

## Teacher Enrollment in Virginia Retirement System

SOE.DOE007

School divisions are required to have all teachers enrolled in the Virginia Retirement System or a comparable local retirement system.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 51.1-132 through 51.1-135

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 5-1-2001 through 7-31-2001  
Comment:

---

## Minimum Instructional Personnel Requirements

SOE.DOE009

School divisions are required to employ at least a minimum number of licensed, full-time equivalent instructional personnel deemed sufficient to meet the instructional needs of students attending public schools as set forth in the Code of Virginia and the Standards of Quality.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-253.13:1, 22.1-293 through 22.1-305; State Board of Education Regulations 8 VAC 20-21-10, 8 VAC 20-90-10, 8 VAC 20-131-10, 8 VAC 20-410-10, 8 VAC 20-420-10, 8 VAC 20-440-10

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Pupil/Teacher Ratios

SOE.DOE010

School divisions are required to assign licensed instructional personnel in a manner that produces division-wide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, according to ratios prescribed in the Code of Virginia. In addition, instructional personnel must be assigned in a manner that produces school-wide ratios of 25 to 1 in middle schools and high schools.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:1

Last Assessment Period: 4-1-1995 through 6-30-1996

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: This mandate was expanded by the 1998 General Assembly (Chapter 816, 1998 Virginia Acts of Assembly) to include a requirement that local school divisions annually report to the public actual pupil/teacher ratios as determined using statutory guidelines. Not currently scheduled for reassessment.

---

## Provision of School Support Services

SOE.DOE011

School divisions are required to provide those support services necessary for the efficient and cost-effective operation and maintenance of public schools, including administration, instructional support, pupil personnel services, student attendance and health, operation and maintenance of the buildings, and management information systems.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:2; State Board of Education Regulation 8 VAC 20-131-240

Last Assessment Period: 4-1-1995 through 6-30-1996

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: Agency recommends allowing local flexibility in meeting requirements. Not currently scheduled for reassessment.

---

## Professional Development for School Board Members

SOE.DOE012

School divisions must require their school board members to participate annually in in-service programs on personnel, curriculum, and current issues in education as part of their service on the local board. In addition, they must require the division superintendent to participate annually in professional development activities at the local, State, or national levels.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:5; State Board of Education Regulations 8 VAC 20-450-10

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Eliminate.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Management of Student Scholastic Records

SOE.DOE013

Local school divisions must adopt a policy and establish procedures for the management of students' scholastic records consistent with minimum State and federal requirements.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 16.1-305.1, 22.1-287 et seq., 32.1-36.1; State Board of Education Regulations 8 VAC 20-160-10, 8 VAC 20-150-10; Family Educational Rights and Privacy Act (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: This program was expanded by the 2000 General Assembly (Chapter 86, 2000 Virginia Acts of Assembly) to specify that each school shall annually notify parents of students in attendance of their rights under the federal Family Educational Rights and Privacy Act. Not currently scheduled for reassessment.

---

## Six-Year School Improvement Plan

SOE.DOE014

School divisions are required to revise, extend, and adopt biennially a division-wide six-year improvement plan that shall be developed with staff and community involvement, including public comment. Each public school shall prepare a biennial plan that shall be given consideration by its school board in the development of the division-wide six-year improvement plan.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:6

Last Assessment Period: 4-1-1995 through 6-30-1996

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: Agency recommends that local school divisions be free to utilize planning methods which best suit their needs.  
Not currently scheduled for reassessment.

---

## Annual Report on Schools

SOE.DOE015

School divisions are required to submit an annual report to the State Board of Education providing statistical information on enrollment in certain specified categories.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-81, 22.1-259, 22.1-260

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 5-1-2001 through 7-31-2001

Comment:



## Records of Non-Resident Students With Disabilities

SOE.DOE016

School divisions are required to keep an accurate record of each child with a disability who is not a resident of the school division but who is attending a school in the division. School divisions are also required to certify their records and plans for educating such children to the State following the end of the school year.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-101.1, 22.1-215, 22.1-254; Regulations Governing Special Education Programs for Children with Disabilities in Virginia 8 VAC 20-80-10

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 9-30-2001  
Comment:

---

## Verification of Student Immunization

SOE.DOE018

School divisions must determine that students have been immunized before they can be admitted into the public school system. Certain medical and religious exemptions are allowed.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-271.2

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 9-30-2001  
Comment:

## **Attendance Guidelines for HIV-Infected Student and Persons with Infectious Diseases**

SOE.DOE019

School divisions must adopt guidelines for school attendance for children with human immunodeficiency virus. Such guidelines must be consistent with model guidelines developed by the State Board of Education. School divisions must also provide training to school personnel having direct contact with students on the effects of blood-borne pathogens or certain other infections. The school division superintendent shall report to the local health director any incident in which any employee is involved in a possible exposure-prone incident. Persons suffering with contagious or infectious diseases shall be excluded from public schools while in that condition.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-271.3, 22.1-272, 29 CFR 1910.1030 (Blood Borne Pathogen Standards) (Fed.)

Last Assessment Period: 7-1-2000 through 9-30-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment:

---

## **Triennial Census of School-Age Population**

SOE.DOE020

School divisions must conduct a census of their school-age population once every three years and report the results to the Superintendent of Public Education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-281 et seq., 58.1-638

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 8-1-2001 through 9-30-2001

Comment:

## Provision of Free Education

SOE.DOE022

School divisions must provide free education to each person of school age, to include school-age persons living in a temporary shelter with a parent, guardian, or person in charge or control of such persons, and localities must appropriate funds for this purpose.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: The Constitution of Virginia, Article VIII, § 1; Code of Virginia §§ 22.1-2, 22.1-3, 22.1-94, 22.1-254 et seq.; State Board of Education Regulations 8 VAC 20-110-10, 8 VAC 20-210-10, 8 VAC 20-520-10

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 8-1-2001 through 9-30-2001  
Comment:

---

## Provision of Free Textbooks

SOE.DOE023

School divisions must provide free textbooks for all public school children.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: The Constitution of Virginia, Article VIII, § 3; Code of Virginia § 22.1-251; State Board of Education Regulation 8 VAC 20-190-10

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 9-1-2001 through 10-31-2001  
Comment:

## Use of Approved Textbooks

SOE.DOE024

School divisions must select and utilize instructional materials approved by the Board of Education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-8, 22.1-238 et seq.; State Board of Education Regulations 8 VAC 20-220-10, 8 VAC 20-270-10

Last Assessment Period: 5-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Length of School Term

SOE.DOE025

In order for a school division to receive its full allocation of State aid, all schools within the division must maintain a length of term that does not fall below 180 days or 990 hours in any year.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-98; State Board of Education Regulations 8 VAC 20-520-10, 8 VAC 20-131-10

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 9-1-2001 through 10-31-2001  
Comment:

## Local School Division Policy Manuals

SOE.DOE026

School divisions are required to maintain and follow an up-to-date policy manual and ensure that the policy manual includes certain policies to be developed by taking into account the views of teachers, parents, and other concerned citizens.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:7

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Professional Development for Teachers and Administrators

SOE.DOE027

School divisions are required to provide a program of professional development, including the use of educational technology, as part of the license process to assist teachers and principals in acquiring the skills needed to work with gifted students and students with disabilities and to increase student achievement. The school division shall also provide a program of professional development for administrative personnel designed to increase proficiency in instructional leadership and management.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-253.13:5, 22.1-298; State Board of Education Regulation 8 VAC 20-450-10 et seq.

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## In-Service Training in Assessment Measures

SOE.DOE028

School divisions are required to provide teachers and principals with periodic in-service training in preparing tests and other assessment measures and methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion referenced tests that match locally developed objectives.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:3

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Standards of Accreditation Requirements

SOE.DOE030

School divisions must maintain schools that meet the standards of accreditation as prescribed by the Board of Education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-19, 22.1-253.13:3; State Board of Education Regulations 8 VAC 20-131-10 et seq.

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## **Elementary and Secondary Education Act Title VI Regulations**

SOE.DOE031

School divisions that receive funds from Title VI of the Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act of 1994, must follow certain federal administrative regulations.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: P. L. 103-382, § 6001 et seq., Improving America's Schools Act of 1994 (Fed.), P. L. 106-113 (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 3-31-2001  
Comment:

---

## **Minimum Standards for New Construction and Renovation of School Facilities**

SOE.DOE032

All school construction or renovation plans must be approved by the division superintendent to insure compliance with minimum standards adopted by the State Board of Education and the Uniform Statewide Building Code, and must be submitted to the Superintendent of Public Instruction.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-138, 22.1-140, Code of Virginia Title 36, Ch. 6; State Board of Education Regulation 8 VAC 20-380-10

Last Assessment Period: 5-1-2000 through 7-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## **Nondiscriminatory Access to Vacation School or Summer Camp**

SOE.DOE033

Any vacation school or summer camp operated by a school division or any other local agency, department, or board shall be available to persons of school age within the applicable jurisdiction on a nondiscriminatory basis regardless of whether a person attends public or private schools.

Type: Regulation of Optional Activity  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-212

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2001 through 12-31-2001  
Comment:

---

## **Radon Testing of Public Schools**

SOE.DOE035

All public school buildings must have been tested for radon by July 1, 1994. Buildings and additions opened after that date must also be tested. Radon tests shall be conducted pursuant to Environmental Protection Agency procedures for radon measurements in schools, and the division superintendent must report test results to the Department of Health. Each school is to maintain files on its radon test results and make these files available for review.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-138

Last Assessment Period: 4-1-2000 through 5-31-2000  
Last Assessment Finding: Eliminate.  
Current Assessment Period:

Comment: Agency has concluded that this requirement is redundant because the Uniform Statewide Building Code, applicable to new school construction, includes testing for radon. Not currently scheduled for reassessment.



## School Bus Safety Standards

SOE.DOE037

Local governments must comply with Federal Motor Vehicle Safety Standards and State regulations for school buses.

Type: Regulation of Optional Activity  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-176 et seq., 46.2-339 et seq., 46.2-844, 46.2-859, 22.1-177 et seq.; State Board of Education Regulation 8 VAC 20-70-10 et seq.; P. L. 103-272 (Fed.); 49 USC 105 (Fed.); 49 USC 30125 (Fed.); 49 CFR 571 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2001 through 12-31-2001  
Comment:

---

## Pupil Transportation

SOE.DOE038

If transportation is provided for children, school divisions must conform to State and federal regulations regarding equipment, insurance, and driver qualifications.

Type: Regulation of Optional Activity  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-178, 22.1-183, 46.2-328, 46.2-340, 46.2-919, 46.2-1055, 46.2-1089, 46.2-1090, 46.2-1091, 46.2-1105; State Board of Education Regulation 8 VAC 20-70-10 et seq.; P. L. 103-272 (Fed.); 49 USC 105 (Fed.); 49 USC 30125 (Fed.); 49 CFR 571 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 1-1-2002 through 3-30-2002  
Comment:

---

## School Breakfast Program Standards

SOE.DOE039

School divisions that agree to participate in the School Breakfast Program must comply with regulations covering breakfast requirements; determination and service of free, reduced price and paid meals served; financial and resource management; nonprofit status; procurement; effective use of commodity foods; record keeping; and sanitation and health standards.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-207.3; State Board of Education Regulation 8 VAC 20-580-10 et seq.; Child Nutrition Act of 1996 (Fed.); National School Lunch Act (Fed.); 42 USC 1751 et seq. (Fed.); 42 USC 1771 et seq. (Fed.); 7 CFR 220 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 1-1-2002 through 3-30-2002

Comment:

---

## National School Lunch Program

SOE.DOE040

School divisions that agree to participate in the National School Lunch Program must comply with regulations concerning lunch requirements; determination and service of free, reduced price, and paid meals served; financial and resource management; nonprofit status; procurement; effective use of commodity foods; record keeping; and sanitation and health standards.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: National School Lunch Act (Fed.); 42 USC 1751 et seq. (Fed.); 7 CFR 210 et seq. (Fed.); 7 CFR 245 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 2-1-2002 through 4-30-2002

Comment:

## Special Milk Program

SOE.DOE041

School divisions that agree to participate in the Special Milk Program must comply with regulations covering milk requirements; determination and service of free and paid milk served; financial aid and resource management; nonprofit status; procurement; record keeping; and sanitation and health standards.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: 42 USC 1772 (Fed.); 7 CFR 215 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2002 through 4-30-2002  
Comment:

---

## Regulation of Food and Drink Sales

SOE.DOE042

School divisions must comply with State and federal requirements regulating the sale of food and drink during lunch periods.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-16, 22.1-17; State Board of Education Regulation 8 VAC 20-290-10 et seq.; National School Lunch Act (Fed.); Child Nutrition Act of 1966 (Fed.); 42 USC 1751 et seq. (Fed.); 42 USC 1771 et seq. (Fed.); 7 CFR 210.11 (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2002 through 4-30-2002  
Comment:

## School Breakfast Programs

SOE.DOE043

Local school divisions are required to establish school breakfast programs in any school in which 25 percent or more of the students are approved in the federally funded free or reduced lunch program. Further, school divisions also must annually report on their school breakfast programs to the Department of Education, including the numbers and socioeconomic characteristics of the students participating in the program.

Type: Compulsory Order

Agency: **Department of Education**

Secretariat: Education

Authorization: Code of Virginia § 22.1-207.3; State Board of Education Regulation 8 VAC 20-580-10 et seq.; National School Lunch Act (Fed.); Child Nutrition Act of 1996 (Fed.); 42 USC 1751 et seq. (Fed.); 42 USC 1771 et seq. (Fed.); 7 CFR 210 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 3-1-2002 through 4-30-2002

Comment:

---

## Program of Instruction for Grades K-12

SOE.DOE044

School divisions must develop and implement a program of instruction for grades K through 12, as prescribed by the Code of Virginia, which emphasizes essential knowledge and skills, concepts and processes, and the development of the ability to apply such skills and knowledge to the preparation for eventual employment or appropriate training and lifelong learning.

Type: Compulsory Order

Agency: **Department of Education**

Secretariat: Education

Authorization: Code of Virginia § 22.1-253.13:1

Last Assessment Period: 4-1-1995 through 6-30-1996

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Instruction Standards for K-3

SOE.DOE045

School divisions are required to implement programs in grades K through 3 that emphasize developmentally appropriate learning to enhance success.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:1

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Eliminate.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Programs to Increase Numbers of Students Earning Diplomas or GED

SOE.DOE046

School divisions are required to implement programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma or general education development certificate.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-223, 22.1-253.13:1; State Board of Education Regulation 8 VAC 20-360-10 et seq.

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Drugs and Drug Abuse Instruction

SOE.DOE047

School divisions are required to provide instruction concerning drugs and drug abuse as prescribed by the State.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-205 through 207; State Board of Education Regulations 8 VAC 20-310-10, 8 VAC 20-320-10, 8 VAC 20-340-10

Last Assessment Period: 10-1-2000 through 11-30-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Physical and Health Education

SOE.DOE048

School divisions are required to emphasize physical and health education throughout their curricula in accordance with State regulations. Each division must establish an advisory board to develop health policy and evaluate the status of school health education, environment, and health services.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-207, 22.1-275.1; State Board of Education Regulations 8 VAC 20-131-10 et seq., 8 VAC 20-320-10

Last Assessment Period: 6-1-2000 through 7-31-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Moral Education

SOE.DOE049

School divisions are required to emphasize moral education through lessons given by teachers and imparted by appropriate reading sections.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-208

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 3-1-2002 through 4-30-2002  
Comment:

---

## Funds for Driver Education Standards

SOE.DOE050

School divisions must comply with the standardized program and regulations established by the Board of Education for driver education programs in order to receive State funds for driver education programs.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-205, 46.2-334; State Board of Education Regulation 8 VAC 20-340-10 et seq.

Last Assessment Period: 10-1-2000 through 12-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Identification and Enrollment of Gifted Students

SOE.DOE051

School divisions are required to provide a plan of services for gifted students from grades K through 12, and must implement early identification of gifted students and the enrollment of such students in appropriately differentiated instructional programs. Local school divisions must report annually to the State on such programs.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-18.1, 22.1-253.13:1; State Board of Education Regulation 8 VAC 20-40-10 et seq.

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Educational Alternatives for Students

SOE.DOE052

School divisions are required to implement educational programs for students functioning below the high school completion level. Such students shall be counted in average daily membership in accordance with the regulations of the Board of Education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-209.1:2, 22.1-253.13:1; State Board of Education Regulation 8 VAC 20-330-10 et seq.

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Programs for Educationally At-Risk Students

SOE.DOE053

School divisions are required to develop and implement programs of prevention, intervention, and remediation, including summer school or other forms of remediation, for students who are educationally at-risk, including, but not limited to, those whose scores are in the bottom national quartile on Virginia State Assessment Program Tests, who do not pass the literacy tests prescribed by the Board of Education, or who fail to achieve a passing score on any Standards of Learning assessment in grades three, five, and eight.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:1

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment:

---

## Plans and Procedures for Measuring Progress of At-Risk Students

SOE.DOE054

School divisions are required to implement a plan to make achievements for educationally at-risk students a division-wide priority. The plan must include procedures for measuring the progress of such students.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:1

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Adult Education Programs

SOE.DOE055

School divisions are required to implement education programs for adults functioning below the high school completion level.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:1; State Board of Education Regulation 8 VAC 20-30-10 et seq.; Workforce Investment Act of 1998 (Fed.); P.L. 105-220 (Fed.)

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Career Education Program

SOE.DOE056

School divisions are required to implement career education programs infused into the K through 12 curricula in order to promote knowledge of careers and all types of employment opportunities and to emphasize the advantages of completing school with marketable skills.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:1

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Agency recommends more flexibility for local school divisions. Not currently scheduled for reassessment.

## Employment Counseling and Placement Services

SOE.DOE057

School divisions are required to make employment counseling and placement services available to secondary students at no charge to students.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-209, 22.1-253.13:1

Last Assessment Period: 9-1-2000 through 10-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Pupil Personnel Services in Grades K-12

SOE.DOE058

School divisions are required to provide a program of pupil personnel services for grades K through 12 that shall be designed to aid students in their educational, social, and career development.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:2

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Administration of Criterion Referenced Tests

SOE.DOE059

School divisions are required to administer appropriate assessments which may include criterion-referenced tests and teacher-made tests, and shall include the Virginia State Assessment Program, the Virginia State Literacy Testing Program, and the National Assessment of Educational Progress, or alternate assessments for students receiving special education services. Each school division shall analyze and report annually to the public, in compliance with any criteria that may be established by the Board of Education, the results from the Virginia State Assessment Program and the Virginia State Literacy Testing Program.

Type: Compulsory Order

Agency: **Department of Education**

Secretariat: Education

Authorization: Code of Virginia § 22.1-253.13:3; State Board of Education Regulation 8 VAC 20-131-10 et seq.; Individuals with Disabilities Education Act (Fed.); 20 USC 1412 (Fed.); 34 CFR 300.138 (Fed.)

Last Assessment Period: 4-1-1995 through 6-30-1996

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: Agency recommends that the mandate be altered to incorporate new statewide assessment instruments.  
Not currently scheduled for reassessment.

---

## Literacy Passport Tests

SOE.DOE060

School divisions are required to award Literacy Passports to all students, including students with disabilities, who achieve passing scores on the literacy tests established by the Board of Education.

Type: Compulsory Order

Agency: **Department of Education**

Secretariat: Education

Authorization: Code of Virginia § 22.1-253.13:4; State Board of Education Regulation 8 VAC 20-10 et seq.

Last Assessment Period: 4-1-1995 through 6-30-1996

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Units of Credit for High School Diplomas

SOE.DOE061

School divisions are required to award diplomas to all secondary school students who earn the units of credit prescribed by the Board of Education, pass the prescribed literacy tests, and meet such other requirements as may be prescribed by the school division and approved by the Board of Education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:4; State Board of Education Regulation 8 VAC 20-131-10 et seq.

Last Assessment Period: 4-1-1995 through 6-30-1996

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: Agency recommends the mandate reflect requirements for performance on new Standards of Learning assessment instruments. Not currently scheduled for reassessment.

---

## Competency-Based Vocational Education Program

SOE.DOE062

School divisions are required to implement competency-based vocational education programs that include instruction about employment opportunities, labor market needs, applied basic skills, job-seeking skills, and career guidance for all secondary students, including those identified as disabled.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:1

Last Assessment Period: 4-1-1995 through 6-30-1996

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: Agency recommends the integration of academic standards into the program. Not currently scheduled for reassessment.

## Academic and Vocational Preparation for Students

SOE.DOE063

School divisions are required to implement academic and vocational preparation for students who plan to continue their education beyond secondary school or who plan to enter employment.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:1

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Nondiscrimination in Vocational Education

SOE.DOE064

School divisions that receive federal funds for vocational education are required to operate their educational programs in a manner that does not deny services or promote discrimination on the basis of sex, race, creed, age, color, handicapping condition, or national origin.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-227, State Board of Education Regulation 8 VAC 20-120-10 et seq.; Carl D. Perkins Vocational and Technical Education Act of 1998 (Fed.); P.L. 105-332 (Fed.); 20 USC 2301 (Fed.); 34 CFR 400 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2001 through 12-31-2001  
Comment:

## Competency-Based Vocational Education Standards

SOE.DOE065

Vocational education programs implemented by school divisions must be competency-based and meet standards established by the State Board of Education to ensure that students are prepared to enter employment and continue formal education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-227, State Board of Education Regulation 8 VAC 20-120-10 et seq.; Carl D. Perkins Vocational and Technical Education Act of 1998 (Fed.); P.L. 105-332 (Fed.); 20 USC 2301 (Fed.); 34 CFR 400 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Alter.

Current Assessment Period: 2-1-2001 through 4-30-2001

Comment:

---

## Vocational Advisory Council

SOE.DOE066

School divisions must establish a general vocational advisory council to provide advice on current job needs and the relevancy of vocational programs offered to assist in the development of the local plan and application. Councils must be composed of representatives from business, industry and labor including representation of both sexes and racial and ethnic minorities. A report must be provided annually to the Department of Education describing activities of the advisory council.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-227; State Board of Education Regulation 8 VAC 20-120-50

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 2-1-2001 through 4-30-2001

Comment:

## Vocational Education Student Organizations

SOE.DOE067

Vocational student organizations must be an integral and active part of each vocational program established by school divisions. All vocational students must be provided opportunities to participate in instructional activities of the organization whether or not dues are paid.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-227, State Board of Education Regulation 8 VAC 20-120-160; Carl D. Perkins Vocational and Technical Education Act of 1998 (Fed.); P.L. 105-332 (Fed.); 20 USC 2301 (Fed.); 34 CFR 400 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Alter.

Current Assessment Period: 2-1-2001 through 4-30-2001

Comment:

---

## Vocational Education Program Plan

SOE.DOE068

School divisions that receive financial assistance for the operation of vocational education programs must submit a vocational plan and application for review and approval to the Department of Education.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-227, State Board of Education Regulation 8 VAC 20-120-40; Carl D. Perkins Vocational and Technical Education Act of 1998 (Fed.); P.L. 105-332 (Fed.); 20 USC 2301 (Fed.); 34 CFR 400 et seq. (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Alter.

Current Assessment Period: 2-1-2001 through 4-30-2001

Comment:



## Early Identification and Placement of Students with Disabilities

SOE.DOE069

School divisions are required to implement early identification of students with disabilities and to enroll such students in appropriate instructional programs consistent with State and federal law.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-215, 22.1-253.13:1; State Board of Education Regulation 8 VAC 20-80-10 et seq.; Individuals with Disabilities Act (Fed.); P. L. 105-17 (Fed.); 20 USC 1400 et seq. (Fed.); 34 CFR 300, 303 (Fed.)

Last Assessment Period: 4-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Special Education Services

SOE.DOE070

School divisions are required to provide a free and appropriate education to all children with disabilities, ages two through twenty-one, residing within their jurisdictions, in accordance with State regulations.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-215, 22.1-253.13:1; State Board of Education Regulations 8 VAC 20-80-10 et seq., 8 VAC 20-570-10 et seq.; Individuals with Disabilities Education Act (Fed.); P. L. 105-17 (Fed.); 20 USC 1400 et seq. (Fed.); 34 CFR 300, 303 (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 4-30-2001  
Comment:

---

## Special Education Plan

SOE.DOE071

School divisions are required to submit an annual plan for special education for the year following and a report indicating the extent to which the plan required by law for the preceding year has been implemented. The plan must be acceptable to the State Board of Education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-215, 22.1-253.13:1; State Board of Education Regulations 8 VAC 20-80-10 et seq.; Individuals with Disabilities Education Act (Fed.); P. L. 105-17 (Fed.); 20 USC 1400 et seq. (Fed.); 34 CFR 300, 303 (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Alter.

Current Assessment Period: 2-1-2001 through 4-30-2001

Comment:

---

## Special Schools for Students with Disabilities

SOE.DOE072

School divisions that are unable to provide a free and appropriate public education to a child with disabilities when such education is not appropriately available in a State facility other than Woodrow Wilson Rehabilitation Center shall offer to place the child in Woodrow Wilson Rehabilitation Center or a nonsectarian private school licensed or certified by the Board of Education or by a licensing authority in the state where the facility is located. Reasonable tuition charges for the child are made from the State pool of funds in accordance with provisions of the Comprehensive Services Act for At-Risk Youth and Families.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 2.1-759, 22.1-216, 22.1-218, 22.1-220; Board of Education Regulation 8 VAC 20-80-10 et seq.; Individuals with Disabilities Education Act (Fed.); P. L. 105-17 (Fed.); 20 USC 1400 et seq. (Fed.); 34 CFR 300.401 (Fed.)

Last Assessment Period: 1-3-1994 through 3-31-1995

Last Assessment Finding: Alter.

Current Assessment Period: 2-1-2001 through 4-30-2001

Comment:

## Free Transportation for Students With Disabilities

SOE.DOE073

School divisions are required to provide free transportation to children with disabilities who need it. Transportation should only be provided via specially equipped buses, regular "mainstreamed" buses, exclusive buses, cars or station wagons.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-214 et seq., 22.1-221; State Board of Education Regulation 8 VAC 20-70-10 et seq., 8 VAC 20-80-10 et seq.; Individuals with Disabilities Education Act (Fed.); P. L. 101-476 (Fed.); P. L. 99-457 (Part H) (Fed.); P. L. 102-119 (Fed.); P. L. 105-17 (Fed.); 20 USC 1400 et seq. (Fed.); 34 CFR 104 Subparts A, C, D (Fed.); 34 CFR 300, 303 (Fed.); 49 CFR 571 (Fed.)  
Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 4-30-2001  
Comment:

---

## Special Education Program Standards

SOE.DOE074

School divisions are required to follow the special education program standards that specify criteria for class size maximums and the operations of programs for students with disabilities. In addition, criteria for special education teacher endorsements and educational interpreters for students with hearing impairments are provided.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-253.13:3; State Board of Education Regulations 8 VAC 20-570-10 et seq.; Individuals with Disabilities Education Act (Fed.); P. L. 105-17 (Fed.); 20 USC 1400 et seq. (Fed.); 34 CFR 300, 303 (Fed.)  
Last Assessment Period: 1-3-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 5-1-2001 through 7-31-2001  
Comment:

---

## Reduced Class Size Grant

SOE.DOE075

School divisions receiving Reduced Class Size grant funds to reduce pupil-teacher ratios in grades K through 3 are required to match the grant funds on the basis of the locality's composite index of local ability to pay.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-199.1; Item 143, Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period: 2-1-1997 through 4-30-1997

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: The agency recommends fully funding the program for all school divisions. Not currently scheduled for reassessment.

---

## At-Risk Four-Year-Old Preschool Grant

SOE.DOE076

School divisions receiving At-Risk Four-Year-Old Preschool grant funds to provide quality preschool programs for at-risk four-year-olds and five-year-olds not served by other programs are required to match the grant funds on the basis of the locality's composite index of local ability to pay.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-199.1; Item 143, Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period: 2-1-1997 through 4-30-1997

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## School/Community Health Center

SOE.DOE077

School divisions participating in the program administered by the Department of Education and the Department of Medical Assistance Services are required to establish school/community health centers for the delivery of health services and are required to become Medicaid providers.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-199.1; Item 143, Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period: 2-1-1997 through 4-30-1997  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Electronic Classroom

SOE.DOE078

School divisions receiving Electronic Classroom grant funds to receive distance learning programs broadcast via the Virginia Satellite Education Network are required to share in the cost associated with the operation of electronic classrooms on the basis of the locality's composite index of local ability to pay.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Item 143, Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period: 2-1-1996 through 4-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Limited English Proficient Students

SOE.DOE079

School divisions receiving federal aid of any kind are required to provide special alternative language programs to ensure that limited English proficient students have access to the school's programs. Key components of such programs include a process for identifying students of limited English proficiency, a means of assessing their language skills, and procedures for placing them in an appropriate education program.

Type: Compulsory Order

Agency: **Department of Education**

Secretariat: Education

Authorization: Code of Virginia § 22.1-212.1; Improving America's Schools Act of 1994 (Fed.); Bilingual Education Act § 7101 et seq. (Fed.); Equal Educational Opportunities Act of 1974 (Fed.); P. L. 93-380 (Fed.); P. L. 103-382 (Fed.); 20 USC 1703 (Fed.)

Last Assessment Period: 2-1-1996 through 4-30-1996

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Educational Technology Grant

SOE.DOE080

School divisions receiving Educational Technology grant funds to expand access to educational technology in local schools are required to provide a 20% local match. At least 25% of the local match shall be used for teacher training in the use of the technology.

Type: Condition of Financial Aid

Agency: **Department of Education**

Secretariat: Education

Authorization: Item 143, Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period: 2-1-1996 through 4-30-1996

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Family Life Education Materials

SOE.DOE081

School divisions are required to implement the Family Life Education curriculum as established by the State Board of Education. School divisions are also required to develop a summary of the family life education program and to distribute the summary to parents or guardians on request. A complete copy of all printed materials and a description of all audiovisual materials must be kept in the school library or office and made available for review to any parent or guardian during school office hours before and during the school year.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-207.1, 22.1-207.2; State Board of Education Regulation 8 VAC 20-131-170

Last Assessment Period: 2-1-1996 through 4-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Reenrollment Plans

SOE.DOE082

School division superintendents or their designee are required to participate in the development of reenrollment plans for juveniles who are released from a juvenile correctional center.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 16.1-293, 22.1-288.2

Last Assessment Period: 5-1-1999 through 7-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Reports of Certain Acts in Schools

SOE.DOE083

School division superintendents are required to report certain incidents such as assaults, threats against school personnel, bomb threats, found weapons, student possession of weapons, and the possession of alcohol, drugs, and tobacco to the Department of Education annually, and to make such information available to the public. School principals must also report such incidents to local law enforcement.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-280.1; State Board of Education Regulation 8 VAC 20-560-10

Last Assessment Period: 5-1-1999 through 7-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## School-to-Work Transition Programs

SOE.DOE084

School divisions that establish school-to-work programs must adhere to guidelines issued by the Board of Education.

Type: Regulation of Optional Activity  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-208.2:2 and 22.1-209.01

Last Assessment Period: 5-1-1998 through 7-31-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Notice of Parental Involvement in Schools

SOE.DOE085

School divisions are required to distribute to all parents notice of the requirements of State law relating to parental involvement, and to distribute a copy of school board standards of student conduct. Additionally, schools are required to follow certain procedures regarding parental involvement in enforcing standards of conduct.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-276.2, 22.1-278, 22.1-279.3

Last Assessment Period: 5-1-1998 through 7-31-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Prevention of Violence and Crime on School Property

SOE.DOE086

School divisions are required to develop programs to prevent violence and crime on school property and at school-sponsored events.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-280.1

Last Assessment Period: 5-1-1998 through 7-31-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Identification of Children with Disabilities

SOE.DOE088

School divisions are required to establish and maintain screening procedures, using testing materials and appliances supplied by the Department of Education, to assure the identification of children with disabilities, including those related to fine and gross motor functions.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-273; State Board of Education Regulations 8 VAC 20-250-10 et seq., 8 VAC 20-80-50

Last Assessment Period: 5-1-1998 through 7-31-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Sale of School Property

SOE.DOE089

School divisions that sell surplus real property must establish a capital improvement fund in which the proceeds of such sale accrue. The fund shall only be used for new school construction, school renovation, and major school maintenance projects.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-129

Last Assessment Period: 5-1-1998 through 7-31-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## School Safety Audit and Crisis and Emergency Management Plan

SOE.DOE090

Local school divisions are required to conduct safety audits in all public schools in accordance with guidelines developed by the Superintendent of Public Instruction, and must develop a written school crisis and emergency management plan.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-278.1

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1997. This mandate was expanded by the 1999 General Assembly (Chapter 475, 1999 Virginia Acts of Assembly) to provide that each local school board shall develop a written school crisis and emergency management plan to be operational by July 1, 2000. Not currently scheduled for assessment.

---

## Early Intervention Services to Primary Grade Students

SOE.DOE091

School divisions receiving grant funds to provide an intervention program to primary grade students who demonstrate educational deficiencies are required to provide a local match based on the composite index of local ability to pay.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Item 143, Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1997. This mandate was expanded by the 1999 General Assembly (Item 138, Chapter 935, 1999 Virginia Acts of Assembly) to require local school divisions to certify that such students will be assessed again at the end of the school year. Not currently scheduled for assessment

---

## School Maintenance

SOE.DOE092

Local school divisions are required to establish a program for ongoing maintenance needs as a condition for receiving State maintenance supplement funds.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-138.1

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 4-1-2001 through 5-31-2001

Comment:

---

## Notification to Parents of Students with Vision/Hearing Impairments

SOE.DOE093

Local school divisions are required to annually distribute information made available by the Department of Education to parents of eligible students describing the services available through the Virginia Schools for the Deaf and the Blind, the Virginia Department for the Deaf and Hard-of-Hearing, and the Virginia Department for the Visually Handicapped.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-217.01

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 4-1-2001 through 6-30-2001

Comment:

## Home Instruction

SOE.DOE094

Local school division superintendents are required to monitor the progress of home-schooled students, and must notify the Superintendent of Public Instruction of the number of students in the division receiving home instruction.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-254.1 et seq.

Last Assessment Period: 9-1-2000 through 10-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Required Local Funding Effort for School Division

SOE.DOE095

Local governing bodies must appropriate funds for the operation of local school divisions at a level not less than that apportioned in compliance with the Code of Virginia for meeting the Standards of Quality in local educational programs.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-94, 22.1-115, 22.1-97

Last Assessment Period: 5-1-2000 through 7-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for assessment.

## Fees and Charges

SOE.DOE096

Local school divisions may charge only those fees authorized by the Board of Education. Scholastic records may not be withheld for nonpayment of fees or charges.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-6; 8 VAC 20-370-10

Last Assessment Period: 5-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for assessment.

---

## Suspension, Expulsion, and Exclusion of Pupils

SOE.DOE097

Local school divisions must adhere to procedures as set forth in the Code of Virginia in the suspension, expulsion, and exclusion of students from school attendance.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-277 through 22.1-277.2

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: This mandate was expanded by the 2000 General Assembly (Chapter 648, 2000 Virginia Acts of Assembly) to require local school boards to adopt regulations governing student searches that are consistent with the guidelines of the Board of Education. Program effective for the 2001 - 2002 school year. Not currently scheduled for reassessment.

## Drug-Free Schools and Campuses

SOE.DOE098

Local school divisions must certify to the Department of Education, as a condition for receiving funds under the federal Drug-Free Schools and Communities Act, that they have adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: 20 USC 7101 (Fed.); P. L. 103-382

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for assessment.

---

## Jointly Owned and Operated Schools or Programs

SOE.DOE099

Local school divisions are required to follow Board of Education guidelines when operating jointly owned schools or programs.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-26; 8 VAC 20-280-10

Last Assessment Period: 8-1-2000 through 10-31-2000  
Last Assessment Finding:  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## School Activity Funds

SOE.DOE100

Local school divisions must follow Board of Education regulations in handling funds derived from extracurricular school activities and activities involving school personnel, students, and property.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-16, 22.1-17, 22.1-115, 22.1-116; State Board of Education Regulation 8 VAC 20-240-10 et seq.

Last Assessment Period: 5-1-2000 through 6-30-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for assessment.

---

## Improving Basic Programs (ESEA)

SOE.DOE101

Local school divisions receiving federal funds through the Elementary and Secondary Education Act of 1965 (ESEA) must meet requirements as set forth by federal law.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Improving America's Schools Act of 1994 (Fed.); P. L. 103-382 (Fed.); 34 CFR 200 et seq.

Last Assessment Period: 10-1-2000 through 12-31-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.



## Student Code of Conduct

SOE.DOE103

Local school divisions shall adopt and revise regulations governing student conduct consistent with the guidelines of the Board of Education. The code of conduct regulations shall include proceedings for suspension, expulsion, and exclusion decisions. The code of conduct shall be reviewed biennially to incorporate discipline options and alternatives to preserve a safe, nondisruptive environment.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-276.2, 22.1-277.02:1, 22.1-278

Last Assessment Period: 4-1-2000 through 5-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Virginia Public School Construction Grants

SOE.DOE104

Local school divisions eligible to receive construction grants must follow the guidelines as issued by the Board of Education, and must provide matching funds based on the locality's composite index of ability to pay.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia §§ 22.1-175.1 through 22.1-175.4

Last Assessment Period:  
Last Assessment Finding:  
Current Assessment Period: 4-1-2001 through 6-30-2001  
Comment:

## Internet Use Policy

SOE.DOE105

Local school superintendents are required to file an Internet use policy, approved by the local school board, with the Superintendent of Public Instruction on or before December 1, 1999 and biennially thereafter.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-70.2

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective December 1, 1999; not currently scheduled for assessment.

---

## Character Education

SOE.DOE106

Local school divisions are required to establish a character education program consistent with criteria established by the State Board of Education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-208.01

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999; not currently scheduled for assessment.

## Remediation Programs Evaluation and Reporting

SOE.DOE107

Local school divisions are required to annually evaluate, based on criteria established by the State Board of Education, remediation programs in terms of the pass rate on the Standards of Learning tests, and report data pertaining to the demographic and educational characteristics of those students identified for remediation.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-199.2

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999. This mandate was expanded by the 2000 General Assembly (Chapter 716, 2000 Virginia Acts of Assembly) to require local school boards to report to the Board of Education the number of students successfully completing the objectives of these remedial programs. Not currently scheduled for assessment.

---

## Legal Opinion Required for Literary Fund Loan

SOE.DOE108

Local school divisions receiving Literary Fund loans must provide an opinion of bond counsel as to the validity of the loan and the status under federal income tax laws of the interest on the loan.

Type: Regulation of Optional Activity  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-157

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999; not currently scheduled for assessment.

---

## Families in Education Incentive Grants Program

SOE.DOE109

Local school divisions receiving grants from the Families in Education Incentive Grants Fund must meet State Board of Education program guidelines.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-209.1:5

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999; not currently scheduled for assessment.

---

## Virginia Public School Educational Technology Grants Program

SOE.DOE110

Local school divisions receiving grants from the Virginia Public School Educational Technology Trust Fund must provide a local match based on the composite index of ability to pay, and must meet State Board of Education program guidelines.

Type: Condition of Financial Aid  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-175.6 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999; not currently scheduled for assessment.

## Evaluation of Superintendent

SOE.DOE111

Local school divisions must evaluate the division superintendent annually.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-60.1

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999. Mandate not previously reported by administering agency; not currently scheduled for assessment.

---

## Asthma Medication Policy

SOE.DOE112

Local school divisions must develop and implement a policy permitting a student with a diagnosis of asthma to possess and self-administer inhaled asthma medications while at school, at school-sponsored activities, or on a school bus or other school property. Each policy shall include the development of an individualized student health care plan.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-274.2

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal impact: Data not available.

## Student Searches

SOE.DOE113

Local school divisions must adopt and revise regulations governing student searches that are consistent with the guidelines established by the Board of Education.

Type: Compulsory Order  
Agency: **Department of Education**  
Secretariat: Education  
Authorization: Code of Virginia § 22.1-277.01:2

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal impact: Data not available.

---

## Voting Equipment and Systems

SOA.SBE001

Each city and county having an optional form of government must use in its elections a mechanical or electronic voting or counting system approved by the State Board of Elections. For other counties, such systems must be used in precincts having 750 or more registered voters. Furthermore, State law stipulates how many such voting devices must be present at precincts, based on the number of registered voters.

Type: Compulsory Order  
Agency: **State Board of Elections**  
Secretariat: Administration  
Authorization: Code of Virginia §§ 24.2-103, 24.2-628, 24.2-629

Last Assessment Period: 5-1-1999 through 7-31-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Electoral Board and Registrar

SOA.SBE002

Counties and cities are required to have an electoral board and a general registrar, and they must follow State and federal procedures for voting and registration. The cost of conducting elections shall be borne by the locality.

Type: Compulsory Order  
Agency: **State Board of Elections**  
Secretariat: Administration  
Authorization: Code of Virginia §§ 24.2-106, 24.2-110, 24.2-404.1, 24.2-409.1, 24.2-411.1, 24.2-411.2, 24.2-415.1, 24.2-416.1 through 24.2-416.5, 24.2-417.1, 24.2-428.1, 24.2-428.2, 24.2-600; Voting Rights Act of 1965 (Fed.), National Voter Registration Act (42 USC § 1973gg et seq.) (Fed.)

Last Assessment Period: 4-1-1995 through 5-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2002 through 4-30-2002  
Comment:

---

## Assistance for Disabled and Elderly at Polling Place

SOA.SBE003

Local electoral boards must provide signs outside polling places to direct people with disabilities and elderly persons to any special entrance designed for their use.

Type: Compulsory Order  
Agency: **State Board of Elections**  
Secretariat: Administration  
Authorization: Code of Virginia §§ 24.2-604.1, 51.5-1; P.L. 98-435 (Fed.); 42 USC 1973ee et seq. (Fed.); 42 USC 12131 et seq. (Fed.)

Last Assessment Period: 5-1-1995 through 5-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2002 through 4-30-2002  
Comment:

---

## Appoint Local Emergency Services Director

SPS.VDEM001

Each county and city must appoint a director of emergency services. Towns with populations greater than 5,000 can operate a program separate from a county, but they must appoint a director of emergency services.

Type: Compulsory Order  
Agency: **Department of Emergency Management**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 44-146.19

Last Assessment Period: 2-1-2000 through 2-29-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Emergency Management Assistance

SPS.VDEM002

Local governments receiving federal financial assistance from the Department of Emergency Management for emergency services programs must have an emergency agency established by law, a director of emergency services, and an emergency program manager. The locality also must have an approved Emergency Operations Plan (EOP). Participating localities must have an exercise plan to test and evaluate all functions in their EOPs and must conduct an exercise each year. A local match is required.

Type: Condition of Financial Aid  
Agency: **Department of Emergency Management**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 44-146.19; P.L. 81-920 (Fed.); 44 CFR 302(Fed.)

Last Assessment Period: 2-1-2000 through 2-29-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Local Emergency Operations Plan

SPS.VDEM003

All cities and counties are required to develop and maintain a local emergency operations plan, which assigns emergency duties and responsibilities to local government and support agencies, and sets forth procedures for emergency response and recovery. The plan should be updated annually and readopted every five years.

Type: Compulsory Order  
Agency: **Department of Emergency Management**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 44-146.19; Federal Civil Defense Act of 1950, as amended (Fed.); Federal Emergency Management Agency Civil Preparedness Guides 1-3, 1-8 (Fed.)

Last Assessment Period: 2-1-2000 through 2-29-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Radiological Emergency Plan

SPS.VDEM004

Each political subdivision having a nuclear power station or other nuclear facility within 50 miles of its boundaries shall prepare and keep current an appropriate emergency plan for its area to respond to nuclear accidents at such station or facility.

Type: Compulsory Order  
Agency: **Department of Emergency Management**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 44-146.19; 42 USC 5131, 5844 (Fed.); P.L. 96-295 (Fed.); 10 CFR 50, 44 CFR 350 (Fed.); Executive Orders 12127, 12148 (Fed.)

Last Assessment Period: 2-1-2000 through 2-29-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Disaster Assistance

SPS.VDEM006

Following a presidential declaration of a major disaster or emergency, local governments may receive disaster assistance to save lives, protect property, and supplement the efforts and available resources to alleviate damage, loss, and suffering caused by the event. Local recipients must agree to: assume the nonfederal share of costs (25%), complete work for which assistance is received, and comply with the provisions of a State-Applicant Disaster Assistance Agreement.

Type: Condition of Financial Aid  
Agency: **Department of Emergency Management**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 44-146.13, 44-146.17, 44-146.18, 44-146.27; P.L. 93-288 (Fed.); 42 USC 5121 et seq. (Fed.)

Last Assessment Period: 2-1-2000 through 2-29-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Hazardous Materials Response Team

SPS.VDEM007

Local governments entering into cost-sharing agreements with the Department of Emergency Management to receive State funds for the maintenance and operation of advanced hazardous materials response teams must agree to dispatch the teams to incidents occurring within an assigned geographic area outside their own political subdivisions.

Type: Condition of Financial Aid  
Agency: **Department of Emergency Management**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 44-146.36

Last Assessment Period: 2-1-2000 through 2-29-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## SARA Title III Requirements

SPS.VDEM008

Local governments must participate in Local Emergency Planning Committees established by the Virginia Emergency Response Council under the authority of Title III of the Superfund Amendments and Reauthorization Act (SARA), also known as the Emergency Planning and Community Right-to-Know Act of 1986. Local committees must develop (1) emergency response plans for extremely hazardous substances, (2) procedures for collecting and maintaining listings of extremely hazardous substances, and (3) procedures to respond to requests for information on the presence or release of these substances. Local emergency response plans must

Type: Compulsory Order

Agency: **Department of Emergency Management**

Secretariat: Public Safety

Authorization: Code of Virginia §§ 44-146.18(a) and (b)(1) - (5), 44-146.35, 44-146.40; P.L. 99-499 (Superfund Amendments and Reauthorization Act of 1986, Title III) (Fed.); 42 USC 9601 et seq. (Fed.); 40 CFR Subchapter J (Fed.)

Last Assessment Period: 2-1-2000 through 2-29-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Appoint Local Hazardous Materials Coordinator

SPS.VDEM009

Local governments are required to appoint a hazardous materials coordinator and the individual appointed to that position must have the requisite qualifications as established by the Department of Emergency Management.

Type: Compulsory Order

Agency: **Department of Emergency Management**

Secretariat: Public Safety

Authorization: Code of Virginia § 44-146.38; P.L. 99-499, Section 303(c)(3) (Fed.)

Last Assessment Period: 1-1-1999 through 1-31-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Virginia Workforce Development Program

SCT.VEC002

Local governments participating in workforce development programs funded through Workforce Investment Act appropriations are required to apply for Local Workforce Investment Area Designation, appoint members to the Local Workforce Investment Board, and comply with other elements of the State's Workforce Development Program to insure the development and performance of one-stop programs for the training and employment of youth and adults.

Type: Condition of Financial Aid  
Agency: **Virginia Employment Commission**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 9-329.1; P.L. 105-220 (Workforce Investment Act of 1998) (Fed.), 20 CFR 652 et seq. and 20 CFR 661.315 (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal impact: Data not available. The federal Job Training and Partnership Act (JTPA) was superseded by the Workforce Investment Act (WIA) of 1998. The 1999 Virginia General Assembly, in compliance with the WIA, created the Virginia Workforce Development Program (cc. 840, 855) to supersede the Virginia JTPA program formerly administered by the Governor's

---

## Water Withdrawal Report

SNR.DEQ001

Local governments are required to report on their water withdrawals if the average daily withdrawal exceeds 10,000 gallons per day in any one month for uses other than agricultural irrigation or more than one million gallons in any month for agricultural irrigation uses.

Type: Compulsory Order  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 62.1-44.38; State Water Control Board Regulation 9 VAC 25-200-10

Last Assessment Period: 5-1-1999 through 7-31-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Clean Air Act Section 105 Grant

SNR.DEQ002

Local governments receiving air pollution control grants from the Department of Environmental Quality must comply with federal Environmental Protection Agency requirements.

Type: Condition of Financial Aid  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: 40 CFR Ch. 1, Subpart B (Fed.)

Last Assessment Period: 9-1-1999 through 11-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Virginia Coastal Resources Management Program

SNR.DEQ003

Local governments receiving federal funding through the Virginia Coastal Resources Management Program must meet all requirements of the contract they execute with the Department of Environmental Quality. Those requirements include completion of all work and submission of all deliverables as described in the locality's approved proposal as well as compliance with all State and federal administrative requirements.

Type: Condition of Financial Aid  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: 40 CFR Ch. 1, Subpart B (Fed.)

Last Assessment Period: 9-1-1999 through 11-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## **Solid Waste Management Facility Operator Certification**

SNR.DEQ005

Local government waste management facilities must be operated under the direct supervision of a person licensed by the Board of Waste Management Facility Operators.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 10.1-1408.2 and 54.1-2212; Virginia Waste Management Board Regulations 18 VAC 155-20-10 et seq.

Last Assessment Period: 4-1-1995 through 1-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 3-1-2001 through 5-31-2001  
Comment:

---

## **Solid Waste Management Facility Permit and Resource Conservation and Recovery Act**

SNR.DEQ006

Local governments that operate solid waste management facilities are required to have a permit from the Department of Environmental Quality to ensure the proper siting, design, construction, operation, closure, and post closure maintenance of the facility. Local governments seeking a permit to operate a new sanitary landfill or transfer station are required to hold an advertised public hearing to seek comment from affected residents and to form a citizen advisory group to assist in site selection.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 10.1-1408.1, 10.1-1408.3 et seq., 10.1-1410.2; Virginia Waste Management Board Regulations 9 VAC 20-70-10 et seq., 9 VAC 20-80-10 et seq.; P.L. 94-580 (Fed.); P.L. 98-616 (Fed.); 42 USC 6901 et seq. (Fed.); 40 CFR 257, 258 (Fed.)

Last Assessment Period: 4-1-1995 through 1-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 3-1-2001 through 5-31-2001  
Comment:

## **Yardwaste Composting and Vegetative Waste Management**

SNR.DEQ009

Local governments electing to compost yardwaste or other vegetative waste must comply with the requirements of the Vegetative Waste Management and Yardwaste Composting Regulations related to the siting, operation, and monitoring of such facilities.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1408.1; Virginia Waste Management Board Regulation 9 VAC 20-101-10 et seq.; 42 USC 6901 et seq. (Fed.); 40 CFR 257, 258 (Fed.)

Last Assessment Period: 4-1-1995 through 1-31-1996

Last Assessment Finding: Retain.

Current Assessment Period: 3-1-2001 through 5-31-2001

Comment:

---

## **Litter Control and Recycling Grant**

SNR.DEQ010

Local governments receiving litter control and recycling grants must follow guidelines established by the Department of Environmental Quality.

Type: Condition of Financial Aid  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1422; Department of Environmental Quality Guidelines

Last Assessment Period: 4-1-2000 through 6-30-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Litter Receptacles in Public Places

SNR.DEQ011

Local governments that elect to place a litter receptacle at a park, beach, campground, trailer park, or other public place are responsible for removing the litter from those receptacles.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 10.1-1419, 1420

Last Assessment Period: 4-1-1995 through 1-31-1996  
Last Assessment Finding: Eliminate.  
Current Assessment Period: 3-1-2001 through 5-31-2001  
Comment:

---

## Fees for Solid Waste Management Facility Permits

SNR.DEQ012

Local governments applying for new, amended, or modified permits for solid waste management facilities must pay a permit application fee in order for the permit to be considered complete.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1402.1; Virginia Waste Management Board Regulation 9 VAC 20-90-10

Last Assessment Period: 4-1-1995 through 1-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 3-1-2001 through 5-31-2001  
Comment:



## **Solid Waste Management Facility Compliance Notification**

SNR.DEQ013

Upon receipt of a request for certification that the location and operation of a solid waste management facility are consistent with all applicable ordinances, the local government is required to inform both the applicant and the Department of Environmental Quality of the facility's compliance or noncompliance within 120 days.

Type: Compulsory Order  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1408.1; Virginia Waste Management Board Regulation 9 VAC 20-80-10

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## **Solid Waste Management Plan**

SNR.DEQ014

Local governments, either individually or joining together as a multijurisdiction region, are required to submit comprehensive 20-year solid waste management plans by July 1, 1991 to the Department of Environmental Quality. On July 1, 1997 and each succeeding five-year period thereafter, a report updating these plans must also be submitted to the Department.

Type: Compulsory Order  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1411; Virginia Waste Management Board Regulation 9 VAC 20-130-10

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Agency has initiated regulatory action to amend program implementation procedures. Not currently scheduled for reassessment.

## Recycling Program

SNR.DEQ015

Local governments must develop and implement recycling programs to maintain a recycling rate of 25%. Plans for achieving this rate must be included in local solid waste management plans.

Type: Compulsory Order  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1411; Virginia Waste Management Board Regulation 9 VAC 20-130-10

Last Assessment Period: 4-1-2000 through 6-30-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Agency has initiated program evaluation and regulatory action to amend program implementation procedures. Not currently scheduled for reassessment.

---

## Hazardous Waste Management Requirements

SNR.DEQ016

Local governments that generate, transport, treat, store, or dispose of hazardous wastes must comply with hazardous waste management requirements. To ship hazardous wastes, localities must use manifests and permitted transporters. Such wastes can be shipped only to certain treatment or disposal facilities. In general, any treatment, storage, or disposal requires a permit.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1400 et seq.; 9 VAC 20-60-10; P.L. 94-580 (Fed.); P.L. 98-616 (Fed.); 42 USC 6901 et seq. (Fed.); 40 CFR 260-268 (Fed.)

Last Assessment Period: 6-1-1995 through 5-31-1996

Last Assessment Finding: Retain.

Current Assessment Period: 3-1-2001 through 5-31-2001

Comment:

## Medical Waste Management

SNR.DEQ017

Local governments electing to generate, transport, and/or treat, store, or dispose of infectious waste must meet certain minimum regulatory standards. Generators must ensure that their infectious waste is appropriately handled, and transporters must be registered with the Department of Environmental Quality. Medical waste treatment, storage, or disposal facilities require permits.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1402; Virginia Waste Management Board Regulation 9 VAC 20-120-10

Last Assessment Period: 5-1-1994 through 2-28-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 3-1-2001 through 4-30-2001  
Comment:

---

## Hazardous Materials Transportation

SNR.DEQ018

Local governments electing to transport hazardous materials in excess of specified levels must follow the federal safety requirements for interstate transportation. Hazardous materials must be properly packaged and labeled, and transport vehicles must bear placards to identify the hazard associated with the materials. Drivers of hazardous materials vehicles must have a commercial driver's license and a hazardous materials certification from the Department of Motor Vehicles.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§10.1-1450 et seq.; Virginia Waste Management Board Regulation 9 VAC 20-110-10; Hazardous Materials Transportation Act of 1990 § 19 (Fed.); 49 CFR 107, 171 through 180, 383, 390 through 397 (Fed.)

Last Assessment Period: 5-1-1994 through 2-28-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 3-1-2001 through 4-30-2001  
Comment:

## Underground Storage Tank

SNR.DEQ019

Local governments that have underground storage tanks are required to upgrade or replace the tanks. Localities are also required to ensure that the underground storage tanks have not leaked, or will not leak, regulated substances into the ground. If leaks have occurred, further testing and, if necessary, cleanup are required.

Type: Compulsory Order  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 62.1-44.34:8 through 44.34:13; State Water Control Board Regulation 9 VAC 25-580-10; P.L. 98-616 (Fed.); 40 CFR 280, 281 (Fed.)

Last Assessment Period: 4-1-1994 through 1-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 3-1-2001 through 4-30-2001

Comment:

---

## Virginia Pollution Discharge Elimination System Permit

SNR.DEQ020

Local governments that operate wastewater treatment facilities or have any other point source discharges to surface waters are required to have a permit authorizing the discharge from the facility into surface waters. The permit imposes controls on the quality of the discharge to ensure compliance with water quality standards, requirements for monitoring the discharge, and reporting of the results.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 62.1-44.15 et seq.; 9 VAC 25-30-10; 9 VAC 25-110-10; 33 USC 1251 et seq. (Fed.); Clean Water Act § 402 (Fed.); 40 CFR 122 - 124 (Fed.)

Last Assessment Period: 6-1-1995 through 5-31-1996

Last Assessment Finding: Retain.

Current Assessment Period: 7-1-2001 through 9-30-2001

Comment:

## Virginia Water Protection Permit

SNR.DEQ021

Local governments that intend to conduct in navigable waters any activity that requires a federal permit must obtain certification from the State that the activity will not violate the State's water quality standards. The certification applies to numerous types of activities such as dredging, building docks, developing water intakes, drainage or excavation of non-tidal wetlands, etc., and is granted through a Virginia Water Protection Permit that may contain special conditions necessary to protect water quality.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 62.1-44.15; 5; 9 VAC 25-210-10; 33 USC 1341 (Fed.); 40 CFR 121 (Fed.)

Last Assessment Period: 6-1-1995 through 5-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 9-30-2001  
Comment:

---

## Virginia Pollution Abatement Permit

SNR.DEQ022

Local governments that operate facilities that have the potential to discharge into State waters but are not actually a point source discharge are required to obtain a Virginia Pollution Abatement Permit. These permits contain requirements specific to the operation and include monitoring and reporting requirements. The types of operations that may be required to obtain a Virginia Pollution Abatement permit are land application of sludge or land treatment of wastewater.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 62.1-44.15, 62.1-44.18; 9 VAC 25-30-10 et seq.; 33 USC 1251 et seq. (Fed.); Clean Water Act § 402 (Fed.); 40 CFR 122 - 124 (Fed.)

Last Assessment Period: 6-1-1995 through 5-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 9-30-2001  
Comment:

## Ground Water Withdrawal Permit

SNR.DEQ023

Local governments that withdraw for any purpose ground water in excess of 300,000 gallons per month in a ground water management area are required to obtain a permit prior to the withdrawal. The permit imposes maximum withdrawal amounts and monitoring and reporting requirements.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 62.1-254 et seq.; 9 VAC 25-610-10

Last Assessment Period: 6-1-1995 through 5-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 9-30-2001  
Comment:

---

## Surface Water Withdrawal Permit

SNR.DEQ024

Local governments that withdraw in excess of 300,000 gallons of surface water per month in a surface water management area are required to obtain a permit prior to withdrawal. The permit may establish, among other things, in-stream flow conditions that limit the volume and rate at which water may be withdrawn at certain times and conditions to protect beneficial uses.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 62.1-242 et seq.; 9 VAC 25-220-10

Last Assessment Period: 6-1-1995 through 5-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 9-30-2001  
Comment:

## Above-Ground Storage Tank

SNR.DEQ025

Local governments owning an above-ground oil storage or handling tank with a capacity of 25,000 gallons or more must have an approved contingency plan that will ensure that the locality can take steps necessary to protect environmentally sensitive areas, to respond to the threat of an oil discharge, and to contain cleanup and mitigate an oil discharge within the shortest feasible time.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 62.1-44.34:15; State Water Control Board Regulation 9 VAC 25-140-10

Last Assessment Period: 5-1-1994 through 2-28-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 3-1-2001 through 4-30-2001  
Comment:

---

## Waste Tire Grant

SNR.DEQ027

Local governments participating in regional programs established with grant funds from the Waste Tire Fund to address waste tire accumulation problems must establish a point of collection for waste tires.

Type: Condition of Financial Aid  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 10.1-1422.1 through 10.1-1422.4

Last Assessment Period: 5-1-1997 through 7-31-1997  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Solid Waste Management Reporting

SNR.DEQ028

Local governments that operate solid waste management facilities are to report annually on the volume and category of waste disposed and the amounts originating from outside the State.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1413.1

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Virginia Water Quality Improvement Act Wastewater Nutrient Removal Grant

SNR.DEQ029

Local governments receiving grants from the Virginia Water Quality Improvement Fund for installing nutrient removal technology in publicly owned wastewater treatment plants must comply with the guidelines established by the Secretary of Natural Resources.

Type: Condition of Financial Aid  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 10.1-2117 et seq.

Last Assessment Period:  
Last Assessment Finding:  
Current Assessment Period: 3-1-2001 through 4-30-2001  
Comment:



## Compliance with Air Emission Standards

SNR.DEQ031

Local governments that operate landfills, incinerators, wastewater treatment facilities, boilers, or other facilities that generate air pollution must comply with air emissions standards.

Type: Regulation of Optional Activity  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1308; 9 VAC 5-40-10 et seq., 9 VAC 5-50-10 et seq., 9 VAC 5-60-10 et seq., 9 VAC 5-80-10 et seq.; Federal Clean Air Act §§ 110, 111, 112, 123, 129, 165, 171, 172, 173, 182 (Fed.); 40 CFR 51, 60, 61, 63, 70 (Fed.)

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Landfill Closure

SNR.DEQ032

Local governments must close municipal solid waste landfills that they own or operate, in accordance with a schedule developed by the Department of Environmental Quality, which do not have liners and leachate collection systems meeting the requirements of the Virginia Waste Management Board.

Type: Compulsory Order  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-1413.2

Last Assessment Period:  
Last Assessment Finding:  
Current Assessment Period:  
Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal Impact: Data not available.

---

## Exceptional Waters Notification

SNR.DEQ033

Local governments must provide, upon the request of the Department of Environmental Quality, names and addresses of riparian property owners impacted by a nomination of a waterway or segment of a waterway for designation as an exceptional state water.

Type: Compulsory Order  
Agency: **Department of Environmental Quality**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 62.1-44.15:4(B); Water Quality Standards Regulation 9 VAC 25-260-30

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 7-1-2001 through 9-30-2001

Comment:

---

## Fire Programs Grant

SPS.DFP001

Local governments receiving grants from the Fire Programs Fund must use the funding for fire service training; constructing, improving and expanding training facilities; purchasing firefighting equipment; or purchasing protective clothing and equipment for firefighting personnel. Funds may not be used directly or indirectly to supplant or replace any other funds appropriated by localities for fire service operation.

Type: Condition of Financial Aid  
Agency: **Department of Fire Programs**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 38.2-401; Department of Fire Programs Administrative Policies, Section 17.1 - Fire Programs Fund

Last Assessment Period: 5-1-1999 through 7-31-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Training Standards for Fire Marshals

SPS.DFP002

Local fire marshals are required to meet training standards established by the Virginia Fire Services Board in order to exercise police powers in the conduct of investigations and to issue summons for violations of the State Fire Prevention Code.

Type: Regulation of Optional Activity  
Agency: **Department of Fire Programs**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 27-34.2 and 27-34.2:1

Last Assessment Period: 3-1-1997 through 5-31-1997  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Volunteer Fire Assistance Program Grant

SCT.DOF002

Volunteer fire departments receiving financial assistance for training, supplies, and equipment through the Volunteer Fire Assistance Program are required to provide a 50% match.

Type: Condition of Financial Aid  
Agency: **Department of Forestry**  
Secretariat: Commerce and Trade  
Authorization: P.L. 95-313-1978 (Fed.)

Last Assessment Period: 4-1-1994 through 10-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 11-1-2000 through 2-28-2001  
Comment:

## Forest Fire Suppression Reimbursement

SCT.DOF003

Local governments entering into a contract with the Department of Forestry must reimburse the Department for expenditures for forest protection, forest fire detection, forest fire prevention, and forest fire suppression not to exceed in any one year an amount equal to five cents per acre of privately owned woodland.

Type: Condition of Financial Aid  
Agency: **Department of Forestry**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 10.1-1124

Last Assessment Period: 4-1-1994 through 10-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 11-1-2000 through 2-28-2001  
Comment:

---

## Urban and Community Forestry Assistance Program

SCT.DOF004

Local governments participating in the Cooperative Forestry Assistance grant program must agree to participate in urban and community forestry program development and/or projects that involve tree management, ecosystem management, or land-use planning, and are required to provide a minimum 50% cash and/or in-kind match.

Type: Condition of Financial Aid  
Agency: **Department of Forestry**  
Secretariat: Commerce and Trade  
Authorization: Forestry Title of the Farm Bill (Fed.); U&CF Assistance §1219

Last Assessment Period: 4-1-1994 through 10-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 11-1-2000 through 2-28-2001  
Comment:

## Virginia Dry Fire Hydrant Grant Program

SCT.DOF005

Local fire departments participating in the Department of Forestry's Dry Fire Hydrant Grant Program may have a dry hydrant installed at a pre-approved location by the program's designated contractor. Localities must agree to pay for any materials required that exceed those specified in the grant.

Type: Condition of Financial Aid  
Agency: **Department of Forestry**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 38.2-401; Item 459, Chapter 1, Special Session I, 1998 Virginia Acts of Assembly

Last Assessment Period: 7-1-1996 through 9-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Tree Planting for Virginia's Communities

SCT.DOF006

Local governments receiving grants from the Tree Planting for Virginia Communities fund must utilize the grants for prescribed tree planting projects on public properties and must provide a 40% match in cash or in-kind services.

Type: Condition of Financial Aid  
Agency: **Department of Forestry**  
Secretariat: Commerce and Trade  
Authorization: Item 105.G, Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period:  
Last Assessment Finding:  
Current Assessment Period:  
Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal Impact: Data not available.

## Carrying Loaded Firearm on Public Road

SNR.DGIF001

Local governments that adopt ordinances to restrict the carrying of loaded firearms in vehicles on public roads must notify the Department of Game and Inland Fisheries by May 1 of the year in which the law takes effect; otherwise it is not enforceable.

Type: Regulation of Optional Activity  
Agency: **Department of Game and Inland Fisheries**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 18.2-287.1, 29.1-526

Last Assessment Period: 9-1-2000 through 11-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Hunting Damage Stamp

SNR.DGIF002

Local governments that require hunters who hunt deer or bear to purchase a damage stamp must report disbursements and collections to the Department of Game and Inland Fisheries annually.

Type: Regulation of Optional Activity  
Agency: **Department of Game and Inland Fisheries**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 29.1-358

Last Assessment Period: 9-1-2000 through 11-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Hunting or Trapping Near Highway

SNR.DGIF003

Local governments that adopt ordinances to prohibit hunting or trapping near primary or secondary highways must notify the Department of Game and Inland Fisheries by May 1 of the year in which the law takes effect; otherwise it is not enforceable.

Type: Regulation of Optional Activity  
Agency: **Department of Game and Inland Fisheries**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 29.1-526

Last Assessment Period: 9-1-2000 through 11-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Local Boating Ordinances

SNR.DGIF004

Local boating ordinances and regulatory markers must be approved by the State Board of Game and Inland Fisheries. After notifying the Department, local governments may by ordinance establish no wake zones.

Type: Regulation of Optional Activity  
Agency: **Department of Game and Inland Fisheries**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 29.1-744

Last Assessment Period: 9-1-2000 through 11-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Hunting Firearm Restrictions

SNR.DGIF005

Local governments that adopt ordinances placing limits on the type and caliber of weapons used to hunt within the boundaries of the locality must notify the Department of Game and Inland Fisheries by May 1 of the year in which the ordinance takes effect; otherwise it is not enforceable.

Type: Regulation of Optional Activity  
Agency: **Department of Game and Inland Fisheries**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 29.1-528

Last Assessment Period: 9-1-2000 through 11-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Design-Build/Construction Management Review

SOA.DGS004

Local governments are authorized to enter into contracts for construction on a fixed-price or not-to-exceed price design-build or construction management basis under certain conditions. Before a locality may issue a Request for Proposal, the Design-Build/Construction Management Review Board must determine that the conditions have been met and that the use of design-build is reasonable.

Type: Regulation of Optional Activity  
Agency: **Department of General Services**  
Secretariat: Administration  
Authorization: Code of Virginia § 11-41.2:2 et seq.

Last Assessment Period: 1-1-2000 through 3-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Maintain Local Health Department

SHHR.VDH001

Each county and city must establish and maintain a local department of health. The specific services to be provided by the local health department are contained in an annual contract between the locality and the State Board of Health.

Type: Compulsory Order  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 32.1-30 through 32.1-34.1

Last Assessment Period: 4-1-1999 through 6-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Communicable Disease Services

SHHR.VDH002

Local health departments must provide communicable disease services including childhood immunizations; sexually transmitted disease screening, diagnosis, and surveillance; acquired immune deficiency syndrome and human immunodeficiency virus testing and counseling; surveillance of reportable communicable diseases, food borne disease outbreaks; and other unusual disease outbreaks, tuberculosis control screening, diagnosis, treatment, and surveillance; and community education.

Type: Compulsory Order  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 32.1-11.3, 32.1-39, 32.1-45.1, 32.1-46, 32.1-49, 32.1-54, 32.1-57; Department of Health Agreement With Local Government

Last Assessment Period: 1-1-1994 through 10-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Child Health Services Program

SHHR.VDH003

Local health departments are required to provide child health services including children's specialty services; screening for genetic traits and inborn errors of metabolism; dietary supplements; well child care; Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); and community education.

Type: Compulsory Order  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 22.1-270, 32.1-11, 32.1-65 through 32.1-68, 32.1-77; Department of Health Agreement with Local Government; P.L. 94-10 (Fed.)

Last Assessment Period: 1-1-1994 through 10-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Maternal Health Services Program

SHHR.VDH004

Local health departments are required to provide maternal health services including prenatal and postpartum care for low risk and intermediate risk women; baby care services; Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); and community education.

Type: Compulsory Order  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 32.1-11, 32.1-77; Department of Health Agreement with Local Government; Social Security Act, Title V (Fed.)

Last Assessment Period: 1-1-1994 through 11-30-1994  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Family Planning Services Program

SHHR.VDH005

Local health departments are required to provide family planning services including clinic services, including drugs and contraceptive supplies; pregnancy testing and counseling; and community education.

Type: Compulsory Order  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Department of Health Agreement with Local Government; Social Security Act, Title X (Fed.)

Last Assessment Period: 1-1-1994 through 12-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Environmental Health Services Program

SHHR.VDH006

Local health departments are required to provide environmental health services including investigation of communicable diseases; rabies control; regulation of ice cream/frozen desserts, marinas, migrant labor camps, milk, on site sewage disposal, water supply sanitation, wells, and restaurants; and inspections of sewage treatment plants serving single family homes with discharges of less than 1,000 gallons per day.

Type: Compulsory Order  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 3.1-530.4, 3.1-562.1 through 3.1-562.10, 29-213.1 through 29-213.4, 32.1-13, 32.1-39, 32.1-163 through 32.1-176.6, 32.1-203 through 32.1-211, 32.1-246, 35.1-22, 62.1-44.18, 62.1-44.19; Department of Health Agreement with Local Government; P.L. 92.500 (Fed.), P.L. 93.523 (Fed.), P.L. 95-217 (Fed.)

Last Assessment Period: 1-1-1994 through 11-30-1994  
Last Assessment Finding: Alter.  
Current Assessment Period:

Comment: HB 1487 (1996) amended the Code of Virginia § 35.1-22 to delete the mandated annual inspection requirement for hotels and motels without removing the Department's regulatory oversight of these establishments.  
Not currently scheduled for reassessment.

## Optional Communicable Disease Services Program

SHHR.VDH008

Local health departments that provide optional communicable disease services, including foreign travel immunizations, must comply with Department of Health regulations, policies, and guidelines.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Department of Health Agreement with Local Government

Last Assessment Period: 4-1-1995 through 9-30-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Optional Child Health Services Program

SHHR.VDH009

Local health departments that provide optional child health services, including baby care services, sick child care, blood lead level testing, school health services, and outreach, must comply with Department of Health regulations, policies, and guidelines.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Department of Health Agreement with Local Government

Last Assessment Period: 4-1-1995 through 9-30-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Optional Maternal Health Services Program

SHHR.VDH010

Local health departments that provide optional maternal health services, including outreach, must comply with Department of Health policies and guidelines.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Department of Health Agreement with Local Government

Last Assessment Period: 1-3-1994 through 11-30-1994  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Optional Family Planning Services Program

SHHR.VDH011

Local health departments that provide optional family planning services must comply with Department of Health policies and guidelines.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Department of Health Agreement with Local Government

Last Assessment Period: 4-1-1995 through 9-30-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Optional General Medical Services Program

SHHR.VDH012

Local health departments that provide optional general medical services, including activities of daily living; general clinic services; home health services; outreach; occupational health services; personal care; pharmacy services; hypertension screening, referral, counseling; and respite care services, must comply with Department of Health regulations, policies, and guidelines.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Department of Health Agreement with Local Government

Last Assessment Period: 4-1-1995 through 9-30-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Optional Dental Health Services Program

SHHR.VDH013

Local health departments that provide optional dental health services, including preventive clinic services for children and adults and restorative clinic services, must comply with Department of Health regulations, policies, and guidelines.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Department of Health Agreement with Local Government

Last Assessment Period: 4-1-1995 through 9-30-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Emergency Medical Services Licensing

SHHR.VDH014

Local governments electing to be direct providers of emergency medical services are required to be licensed by the Department of Health and to comply with rules and regulations promulgated by the Board of Health governing medical services.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 32.1-111.1 through 32.1-111.15 and 32.1-116.1 through 32.1-116.3; Emergency Medical Services Regulation 12 VAC 5-30-10 et seq.

Last Assessment Period: 1-3-1994 through 1-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Local Health Care Facility Licensing

SHHR.VDH015

Local governments and regional authorities that own and operate State regulated health care facilities and services are required to comply with State licensure requirements such as those governing operation of hospitals, home health agencies, hospices, or nursing homes.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 32.1-123 through 32.1-127.1:03, 32.1-138 through 32.1-138.5, 32.1-162.1 through 32.1-162.15; Department of Health Regulations 12 VAC 5-371-10 et seq., 12 VAC 5-380-10 et seq., 12 VAC 5-390-10 et seq., and 12 VAC 5-410-10 et seq.

Last Assessment Period: 4-1-1995 through 9-30-1995  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Local Health Facility Medicare Requirements

SHHR.VDH016

Local governments and regional authorities that own and operate health care facilities that provide care for Medicare patients, and wish to receive reimbursement for such care, must comply with federal requirements. The Department of Health's Center for Quality Health Care Services and Consumer Protection acts on behalf of the federal government in connection with the survey and certification of such facilities.

Type: Condition of Financial Aid  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Social Security Act, Titles XVIII, XIX (Fed.)

Last Assessment Period: 4-1-1995 through 9-30-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Restaurant, Hotel or Summer Camp Licensing

SHHR.VDH017

Local governments that operate a restaurant, hotel, or summer camp are required to meet the same licensing or permitting requirements as any other operator of such facilities.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 35.1-13 through 35.1-17; Department of Health Regulations governing licensure of hotels, summer camps, campgrounds, and restaurants, 12 VAC 5-420-10 et seq., 12 VAC 5-430-10 et seq., 12 VAC 5-440-10 et seq., and 12 VAC 5-450-10 et seq.

Last Assessment Period: 4-1-1995 through 1-31-1996  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Vital Records and Health Statistics Report

SHHR.VDH018

Each county and city health director shall serve as the county or city registrar of vital records and health statistics for his or her jurisdiction. The local registrar shall transmit at least twice monthly the records filed with him or her to the State Registrar.

Type: Compulsory Order  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 32.1-254 et seq.

Last Assessment Period: 1-1-1994 through 8-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Public Water System Permit

SHHR.VDH019

Local governments that own and operate public water systems are required to have a waterworks operation permit. This permit requires: (1) continuous provision of safe drinking water; (2) monitoring requirements; and (3) reporting requirements.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 32.1-167 through 32.1-176; Waterworks Regulation 12 VAC 5-590-10 et seq.; P.L. 93-523 (Fed.); P.L. 99-399 (Fed.); P.L. 104-182 (Fed.)

Last Assessment Period: 1-3-1994 through 12-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Public Marina

SHHR.VDH020

Local governments that own and operate marinas and the sanitary sewage facilities serving marinas and other places where boats are moored must conform to the requirements of the 1990 Sanitary Regulations for Marinas and Boat Moorings.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 32.1-246; Department of Health Regulation 12 VAC 5-570-10 et seq.

Last Assessment Period: 4-1-1995 through 1-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Sewerage Design Approval

SHHR.VDH021

Local governments that own and operate sewage collection systems and sewage treatment works are required to provide an engineered design for any new or upgraded facility, consistent with the Commonwealth's public health and water quality objectives. In addition to the design, localities must provide documents for a technical evaluation of the design, construction, installation, and operation of equipment and systems. Such information must verify that the proposed facilities will reliably achieve compliance with the sewerage regulations and with permit requirements.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 32.1-164, 62.1-44.19; 1977 Sewerage Regulation 12 VAC 5-580-10 et seq.

Last Assessment Period: 4-1-1995 through 1-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Inspection of Local Correctional Facilities

SHHR.VDH022

Local jails are subject to at least one annual unannounced inspection to be conducted by the Department of Corrections, with oversight from the Virginia Department of Health, to ensure proper protection for jail inmates and staff.

Type: Compulsory Order  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 35.1-1, 53.1-68, and 53.1-127

Last Assessment Period: 7-1-1998 through 9-30-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Certificate of Public Need (COPN) Requirements for Local Health Facilities

SHHR.VDH023

Local governments that operate medical care facilities and services must receive a Certificate of Public Need from the Department of Health to establish new acute care facilities and services and long-term care medical facilities, as well as for new construction and renovation.

Type: Regulation of Optional Activity  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 32.1-102.1 through 32.1-102.12; Certificate of Public Need Program and the State Medical Facilities Plan Regulations 12 VAC 5-220-10 through 12 VAC 5-360-10 et seq.

Last Assessment Period: 7-1-1997 through 9-30-1997  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Local Clinical Laboratory Facility Requirements

SHHR.VDH024

Local governments that operate clinical laboratories that test human specimens for assessing health for the diagnosis, prevention, or treatment of any disease or impairment must comply with federal certification standards.

Type: Regulation of Optional Activity

Agency: **Department of Health**

Secretariat: Health and Human Resources

Authorization: Clinical Laboratory Improvement Act of 1988 (Fed.); Omnibus Reconciliation Act of 1989 (Fed.); Titles XVIII and XIX of the Social Security Act (Fed.); 42 CFR, Chapter IV - HCFA, part 493 - Laboratory Requirements

Last Assessment Period: 7-1-1997 through 9-30-1997

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Emergency Medical Services Funds Report

SHHR.VDH025

Local governments are required to report annually to the Board of Health on the use of State funds received for training and procurement for emergency medical and rescue services. Such annual reports to the Board of Health are required prior to the receipt of such funds for the next fiscal year.

Type: Compulsory Order

Agency: **Department of Health**

Secretariat: Health and Human Resources

Authorization: Code of Virginia § 46.2-694

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 4-1-2001 through 6-30-2001

Comment:

## Rescue Squad Assistance Fund

SHHR.VDH026

Local governments electing to apply for funds from the Rescue Squad Assistance Fund grant program must comply with the Rules and Regulations Governing Financial Assistance for Emergency Medical Services.

Type: Condition of Financial Aid  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 32.1-111.12; Department of Health Regulation 12 VAC 5-30-10 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 4-1-2001 through 6-30-2001

Comment:

---

## Variances and Exemptions for Rescue Squads

SHHR.VDH027

Local governments must review applications of rescue squads in their jurisdiction that request variances or exemptions from the Rules and Regulations Governing Emergency Medical Services, and shall submit their recommendation to the Commissioner of Health.

Type: Compulsory Order  
Agency: **Department of Health**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 32.1-111.9; Department of Health Regulation 12 VAC 5-30-10 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 4-1-2001 through 6-30-2001

Comment:

## Historic Preservation Grants

SNR.DHR001

Local governments receiving historic preservation grants must comply with criteria established by the Department of Historic Resources and the Code of Virginia, and are required to provide a match equal to the grant in cash or in kind

Type: Condition of Financial Aid  
Agency: **Department of Historic Resources**  
Secretariat: Natural Resources  
Authorization: Code of Virginia §§ 10.1-2202, 10.1-2208, 10.1-2213, 11-35

Last Assessment Period: 3-1-2000 through 3-31-2000  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Grants to Certified Local Governments

SNR.DHR002

Local governments certified by the Department of Historic Resources to receive project grants from the Historic Preservation Fund must comply with State and federal requirements.

Type: Condition of Financial Aid  
Agency: **Department of Historic Resources**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-2202; National Historic Preservation Act (1980 amendments) (Fed.); 36 CFR 61 (Fed.)

Last Assessment Period: 3-1-2000 through 3-31-2000  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Cultural Resource Survey and Planning Cost-Share Program

SNR.DHR003

Local governments contracting with the Department of Historic Resources for assistance in conducting cultural resource surveys and planning projects are required to provide a 50% match.

Type: Condition of Financial Aid  
Agency: **Department of Historic Resources**  
Secretariat: Natural Resources  
Authorization: Code of Virginia § 10.1-2202

Last Assessment Period: 3-1-2000 through 3-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Uniform Statewide Building Code

SCT.DHCD001

Local building departments must enforce the Uniform Statewide Building Code which provides mandatory statewide regulations for the construction, maintenance, and use of buildings and structures.

Type: Compulsory Order  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 36-97 et seq.; Department of Housing and Community Development Regulations 13 VAC 5-61-10 et seq.

Last Assessment Period: 5-1-1994 through 11-30-1994  
Last Assessment Finding: Retain.  
Current Assessment Period:

Comment: The 1997 edition of the Uniform Statewide Building Code, effective April 15, 1997, repealed the former Volume I and Volume II and combined the new construction provisions of the former with the building maintenance provisions of the latter. The 1999 General Assembly (Chapter 341, 1999 Virginia Acts of Assembly) made local inspection of non-residential elevators mandatory. Not currently scheduled for reassessment.

## Statewide Fire Prevention Code

SCT.DHCD002

Local governments electing to enforce a fire prevention code must comply with the Statewide Fire Prevention Code that establishes minimum statewide standards for fire safety in buildings and structures and provides regulations for the storage, handling, and use of specified substances, materials, and devices such as explosives and blasting agents.

Type: Regulation of Optional Activity  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 27-94 et seq.; Department of Housing and Community Development Regulations 13 VAC 5-51-10 et seq.

Last Assessment Period: 3-1-2000 through 5-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Small Cities Community Development Block Grant Program

SCT.DHCD004

Local governments participating in the Small Cities Community Development Block Grant Program must comply with State and federal requirements.

Type: Condition of Financial Aid  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Title I of the Housing & Community Development Act, as amended (Fed.); 24 CFR 570 Subpart I (Fed.)

Last Assessment Period: 6-1-2000 through 8-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## **Appalachian Regional Commission (ARC) Program Participation**

SCT.DHCD005

Southwest Virginia localities participating in the Appalachian Regional Commission Program are required to comply with federal and State guidelines and requirements.

Type: Condition of Financial Aid  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 36-139; Appalachian Regional Development Act of 1965, as amended (Fed.); Appalachian Regional Commission Code (Fed.)

Last Assessment Period: 5-1-1994 through 11-30-1994

Last Assessment Finding: Retain.

Current Assessment Period: 9-1-2000 through 11-30-2000

Comment:

---

## **Home Investment Partnership Act Program (HOME)**

SCT.DHCD007

Local governments participating in the Home Investment Partnerships Act must comply with federal and State requirements.

Type: Condition of Financial Aid  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 36-139; Board of Housing and Community Development Virginia Indoor Plumbing Rehabilitation Program Guidelines; P. L. 101-625, 24 CFR 92 (Fed.)

Last Assessment Period: 3-1-2000 through 5-31-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Virginia Enterprise Zone Act

SCT.DHCD010

Local governments with enterprise zone designations are required to develop periodic reports and comply with program regulations.

Type: Regulation of Optional Activity  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia §§ 59.1-271 et seq. (Virginia Enterprise Zone Act); Department of Housing and Community Development Regulations 13 VAC 5-111-10 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 9-1-2000 through 11-30-2000

Comment:

---

## Regional Competitiveness Act

SCT.DHCD011

Local governments seeking to apply for Regional Competitiveness Act funds are required to form regional partnerships, prepare regional strategic economic development plans, and issue annual reports.

Type: Condition of Financial Aid  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 15.2-1306 et seq.; Item 92, Chapter 1, Special Session I, 1998 Virginia Acts of Assembly

Last Assessment Period: 6-1-2000 through 8-31-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## **Derelict Structures Fund**

SCT.DHCD012

Local governments receiving grants from the Virginia Removal or Rehabilitation of Derelict Structures Fund must provide a 100% match and report to the Department of Housing and Community Development annually on the status of properties acquired with such grants.

Type: Condition of Financial Aid  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia §§ 36-152 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999. This program was expanded by the 2000 General Assembly (Chapter 795, 2000 Virginia Acts of Assembly) to specify that 50 percent of all money received by local governments as grants from the Virginia Removal or Rehabilitation of Derelict Structures Fund be utilized in areas designated by the Governor as housing revitalization zones. Not currently scheduled for assessment.

---

## **Housing Revitalization Fund Grants**

SCT.DHCD013

Local governments receiving grants or other forms of financial aid from the Housing Revitalization Fund must comply with program requirements.

Type: Condition of Financial Aid  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 36-157 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal impact: Data not available. Program regulations will be promulgated by the Board of Housing and Community Development.

---

## **Live In Our Community Police Housing Program**

SCT.DHCD014

Local governments receiving grants or subsidies from the Live In Our Community Police Housing Program must comply with program requirements.

Type: Condition of Financial Aid  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia §§ 9-170, 36-140.1, 36-140.2

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal impact: Data not available.  
Program regulations will be promulgated by the Board of Housing and Community Development.

---

## **Industrial Site Development Fund**

SCT.DHCD015

Local governments receiving financial aid from the Industrial Site Development Fund must comply with program requirements and must provide a 25% match.

Type: Condition of Financial Aid  
Agency: **Department of Housing and Community Development**  
Secretariat: Commerce and Trade  
Authorization: Item 107 H., Chapter 1073, 2000 Virginia Acts of Assembly

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal impact: Data not available.

## Optional Health Insurance

SOA.DHRM001

Local governments electing to participate in the employee health insurance plan operated by the Department of Human Resource Management obligate themselves either (1) to contribute at least 80% of the cost of the employee-only premium and at least 20% of the cost of dependent coverage, or (2) to enroll 75% or more of all employees whom the local employer deems to be eligible for health insurance.

Type: Regulation of Optional Activity  
Agency: **Department of Human Resource Management**  
Secretariat: Administration  
Authorization: Code of Virginia §§ 2.1-20.1, 2.1-20.1:02, 2.1-20.1:04; Department of Human Resource Management Regulations 1 VAC 55-20-10 et seq.

Last Assessment Period: 6-1-1999 through 8-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Juvenile Correctional Facility Report

SPS.DJJ001

Local governments receiving State funds to support the operation of juvenile correctional facilities are required to issue a monthly report to the State on the number of child care days registered by each juvenile correctional program or facility operated.

Type: Condition of Financial Aid  
Agency: **Department of Juvenile Justice**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 16.1-322.3

Last Assessment Period: 5-1-2000 through 7-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Delinquency Prevention

SPS.DJJ002

To obtain funds for a delinquency prevention program from the Department of Juvenile Justice, localities must develop a comprehensive plan based on an objective assessment of the community's needs and resources for developing, coordinating, and evaluating youth services within the locality; establish a youth services citizen board, and provide a 25% match.

Type: Condition of Financial Aid  
Agency: **Department of Juvenile Justice**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 66-27 through 66-35; Board of Juvenile Justice Regulations 6 VAC 35-60-10 et seq.

Last Assessment Period: 8-1-2000 through 10-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Court Service Unit Standards

SPS.DJJ003

Cities and counties operating local service units for juvenile and domestic relations courts must comply with minimum State staff and personnel standards, and provide services determined by the Department of Juvenile Justice.

Type: Regulation of Optional Activity  
Agency: **Department of Juvenile Justice**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 16.1-233; Board of Juvenile Justice Regulations 6 VAC 35-150-10 et seq.

Last Assessment Period: 8-1-2000 through 10-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Court Service Unit Office Space

SPS.DJJ004

Cities and counties must provide office space, utilities, furniture, and telephone service for State operated service units for juvenile and domestic relations courts.

Type: Compulsory Order  
Agency: **Department of Juvenile Justice**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 16.1-234; Board of Juvenile Justice Regulations 6 VAC 35-150-10 et seq.

Last Assessment Period: 8-1-2000 through 10-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Juvenile Detention, Probation, and Court Service Unit Standards

SPS.DJJ005

Local governments providing specialized court services must develop and operate probation, detention, and related court services for the juvenile and domestic relations court in accordance with established regulations.

Type: Regulation of Optional Activity  
Agency: **Department of Juvenile Justice**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 16.1-235; Board of Juvenile Justice Regulations 6 VAC 35-150-10 et seq.

Last Assessment Period: 8-1-2000 through 10-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Transportation of Detained Youth

SPS.DJJ006

Local governments operating detention homes having custody or responsibility for supervision of a child are responsible for transportation of the child to medical appointments, dental appointments, psychological, and psychiatric evaluations. Transportation of youth to special placements shall be the responsibility of the court service unit.

Type: Compulsory Order  
Agency: **Department of Juvenile Justice**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 16.1-254

Last Assessment Period: 8-1-2000 through 10-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Community-Based Juvenile Services and Sanctions

SPS.DJJ007

To receive funding under the Virginia Juvenile Justice Community Crime Control Act, local governments must have their biennial plans for community-based residential and nonresidential programs approved by the State Board of Juvenile Justice (SBJJ), and must comply with SBJJ standards and regulations in the operation of their programs.

Type: Regulation of Optional Activity  
Agency: **Department of Juvenile Justice**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 16.1-309.2 through 309.9

Last Assessment Period: 8-1-2000 through 10-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Mental Health Screening of Juveniles

SPS.DJJ008

The staff of local juvenile detention facilities must ascertain the need for a mental health assessment for incarcerated juveniles. If such assessment is needed, the assessment shall take place within twenty-four hours of determination.

Type: Compulsory Order  
Agency: **Department of Juvenile Justice**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 16.1-248.2

Last Assessment Period: 2-1-1999 through 3-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Boiler and Pressure Vessel Safety

SCT.DOLI001

Local school divisions and other local entities that have ownership or responsibility for boilers and other pressure vessels must protect human life and property from the unsafe or dangerous construction, installation, inspection, operation, maintenance, and repair of boilers and pressure vessels in the Commonwealth through periodic inspections, repair or replacement, and payment of fees for certificate of inspection.

Type: Compulsory Order  
Agency: **Department of Labor and Industry**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 40.1-51.6 et seq.; Department of Labor and Industry/Safety and Health Codes Board Regulations 16 VAC 25-50-10 et seq.

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## **National Emissions Standards for Hazardous Air Pollution (NESHAP)**

SCT.DOLI002

Local governments must comply with federal Environmental Protection Agency regulations, incorporated by reference by the Department of Labor and Industry, governing the demolition and renovation of facilities and the disposal of asbestos-containing wastes from such operations.

Type: Compulsory Order  
Agency: **Department of Labor and Industry**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 40.1-51.24 et seq.; Department of Labor and Industry/Safety and Health Codes Board Regulations  
16 VAC 25-30-10 et seq.; P.L. 99-519 (Fed.); 42 USC 7401 et seq., 40 CFR 61.140 et seq. (Fed.)

Last Assessment Period: 7-1-2000 through 9-30-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## **Occupational Safety and Health Act**

SCT.DOLI003

Local governments must provide for the occupational safety and health of their employees through compliance with the State enforcement of the federal Occupational Safety and Health Act of 1970, its rules and regulations, as well as any unique requirements of the Virginia State plan program.

Type: Compulsory Order  
Agency: **Department of Labor and Industry**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia §§ 40.1-1, 40.1-2.1, 40.1-22, 40.1-49.4 et seq.; Department of Labor and Industry/Safety and Health Codes Board Regulations 16 VAC 25-60-10 through 16 VAC 25-190-10 et seq.; 29 CFR 1910, 1915, 1917, 1926, 1928 (Fed.); P.L. 91-596 (Fed.)

Last Assessment Period: 7-1-2000 through 9-30-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Boiler and Pressure Vessel Operator Certification

SCT.DOLI004

Local governments that adopt ordinances requiring boiler and pressure vessel operators to be certified by the locality must utilize the Department of Labor and Industry's standards to determine the applicant's ability, proficiency, and qualifications. Certification examinations are provided and monitored by the Department.

Type: Regulation of Optional Activity  
Agency: **Department of Labor and Industry**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 15.2-910; Department of Labor and Industry/Safety and Health Codes Board Regulations 16 VAC 25-40-10 et seq.

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Voluntary Apprenticeship Programs

SCT.DOLI005

Local governments that offer apprenticeship programs and choose to register the programs with the Department of Labor and Industry must comply with the Department's regulations governing the administration of apprenticeship programs.

Type: Regulation of Optional Activity  
Agency: **Department of Labor and Industry**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia §§ 40.1-117 through 40.1-126 (Voluntary Apprenticeship Act); Department of Labor and Industry/Apprenticeship Council Regulations 16 VAC 20-20-10 et seq.; P.L. 75-308 (National Apprenticeship Act of 1937).

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## State Certified Librarian

SOE.LVA001

Local libraries serving a population of over 5,000 must employ librarians who meet the qualifications established by the State Library Board.

Type: Regulation of Optional Activity  
Agency: **The Library of Virginia**  
Secretariat: Education  
Authorization: Code of Virginia §§ 42.1-15.1, 42.1-51, 42.1-52; State Library Board Regulation 17 VAC 100-10-10 et seq.

Last Assessment Period: 7-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 4-30-2001  
Comment:

---

## Library Network

SOE.LVA002

Local libraries participating in the library network grant program must follow standards, procedures, and processes established by the State Library Board.

Type: Condition of Financial Aid  
Agency: **The Library of Virginia**  
Secretariat: Education  
Authorization: Code of Virginia §§ 42.1-32 through 42.1-37

Last Assessment Period: 4-1-2000 through 6-30-2000  
Last Assessment Finding: Eliminate.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Library Operations Standards

SOE.LVA003

Local libraries must meet State requirements for personnel, materials and operating procedures in order to qualify for State or federal grants-in-aid.

Type: Condition of Financial Aid  
Agency: **The Library of Virginia**  
Secretariat: Education  
Authorization: Code of Virginia §§ 42.1-46 et seq.; State Library Board Regulation 17 VAC 110-10-10 et seq.

Last Assessment Period: 7-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 4-30-2001  
Comment:

---

## Planning and Development Standards for Public Library Services

SOE.LVA004

Local governments receiving State grants for public libraries must follow the standards endorsed by the State Library Board in planning and developing public library services.

Type: Condition of Financial Aid  
Agency: **The Library of Virginia**  
Secretariat: Education  
Authorization: Code of Virginia §§ 42.1-46 et seq.; State Library Board Regulation 17 VAC 110-10-10 et seq.

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Virginia Public Records Act

SOE.LVA005

Local governments are required to comply with regulations issued by the State Library Board regarding the creation, preservation, storage, filing, reformatting, management, and destruction of official public records. Local governments must also comply with regulations issued by the Board for the inventory, scheduling, and microfilming of official public documents which have been determined to have permanent value.

Type: Compulsory Order  
Agency: **The Library of Virginia**  
Secretariat: Education  
Authorization: Code of Virginia §§ 42.1-76 et seq.

Last Assessment Period: 5-1-2000 through 7-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Library Acceptable Internet Use Policy

SOE.LVA006

Local library boards or localities without a library board which operate a public library are required to file an acceptable policy for Internet use with the Library of Virginia. Policies shall be filed on or before December 1, 1999 and biennially thereafter.

Type: Regulation of Optional Activity  
Agency: **Library of Virginia**  
Secretariat: Education  
Authorization: Code of Virginia § 42.1-36.1

Last Assessment Period:  
Last Assessment Finding:  
Current Assessment Period:  
Comment: Program effective July 1, 1999; not currently scheduled for assessment.

## Wetlands Zoning Ordinance in Tidewater

SNR.MRC001

Tidewater localities that have adopted an ordinance regulating tidal wetlands must supply meeting space for the wetlands board and reasonable secretarial, clerical, legal, and consulting services as needed.

Type: Regulation of Optional Activity  
Agency: **Marine Resources Commission**  
Secretariat: Natural Resources  
Authorization: Chapter 13 of Subtitle III in Title 28.2 of the Code of Virginia

Last Assessment Period: 1-6-1994 through 8-1-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 4-30-2001  
Comment:

---

## Coastal Primary Sand Dune Zoning Ordinance

SNR.MRC002

Certain designated localities in the Tidewater area that have adopted an ordinance regulating coastal primary sand dunes and beaches must supply meeting space to the local wetlands board and reasonable secretarial, clerical, legal, and consulting services, as needed.

Type: Regulation of Optional Activity  
Agency: **Marine Resources Commission**  
Secretariat: Natural Resources  
Authorization: Chapter 14 of Subtitle III in Title 28.2 of the Code of Virginia

Last Assessment Period: 1-6-1994 through 8-1-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 4-30-2001  
Comment:

## State/Local Hospitalization Program

SHHR.DMAS001

Each city and county is required to participate in the State/Local Hospitalization Program. Localities are required to provide funds for a share of the total costs to provide hospital and medical care to qualified applicants.

Type: Compulsory Order  
Agency: **Department of Medical Assistance Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 32.1-345, 32.1-347; Department of Medical Assistance Services Regulation 12 VAC 30-100-10 et seq.

Last Assessment Period: 6-1-1994 through 8-1-1994  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Community Services Board Participation in Community Medicaid Initiative

SHHR.DMHMRSAS002

All community services boards must participate in Medicaid-covered services and meet all requirements for provider participation.

Type: Compulsory Order  
Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**  
Secretariat: Health and Human Resources  
Authorization: Item 341, Chapter 1, Special Session I, 1998 Virginia Acts of Assembly

Last Assessment Period: 11-1-1999 through 1-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Establishment of Community Services Board

SHHR.DMHMRSAS003

Every county or city or any combination thereof shall establish a community services board, and each locality or combination of localities having established such shall, in consultation with its community services board, designate its board as an operating community services board, an administrative policy community services board, or a local government department with a policy-advisory community services board.

Type: Compulsory Order  
Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 37.1-194

Last Assessment Period: 11-1-1999 through 1-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Community Services Board Licensing

SHHR.DMHMRSAS004

Community services boards providing services to the mentally ill, mentally retarded, or substance abusing persons are required to be licensed by the Department of Mental Health, Mental Retardation, and Substance Abuse Services.

Type: Compulsory Order  
Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 37.1-10, 179, 183.1; Department of Mental Health, Mental Retardation and Substance Abuse Services Regulation 12 VAC 35-102-10 et seq.; 21 CFR 291.505, 1300 (Fed.)

Last Assessment Period: 11-1-1999 through 1-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Community Services Board Emergency Services

SHHR.DMHMRSAS005

Community services boards and behavioral health authorities must provide emergency services, prescreening, case management, and predischARGE planning services for people with mental illness, mental retardation, or alcohol and other drug problems before their admission to a State hospital or training center.

Type: Compulsory Order

Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**

Secretariat: Health and Human Resources

Authorization: Code of Virginia §§ 37.1-194

Last Assessment Period: 11-1-1999 through 1-31-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Support Services for Community Services Board

SHHR.DMHMRSAS006

Each local government establishing a single jurisdiction community services board or the local government that serves as the fiscal agent for a multijurisdictional community services board must audit the community services board's total revenues. Local governments are also required to arrange for legal services to a single or multijurisdictional community services board.

Type: Compulsory Order

Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**

Secretariat: Health and Human Resources

Authorization: Code of Virginia § 37.1-195; P.L. 98-502 (Fed.)

Last Assessment Period: 7-1-1994 through 9-30-1994

Last Assessment Finding: Retain.

Current Assessment Period: 1-1-2001 through 3-31-2001

Comment:

## Community Services Board Prescription Team

SHHR.DMHMRSAS007

Community services boards must establish and coordinate the operation of a prescription team that is responsible for integrating the community services necessary to accomplish effective prescreening and predischarge planning for clients referred to community services boards.

Type: Compulsory Order  
Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 37.1-197.1

Last Assessment Period: 10-1-1994 through 11-30-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 1-1-2001 through 3-31-2001  
Comment:

---

## Human Research

SHHR.DMHMRSAS008

Community services boards seeking to conduct or sponsor human research must be certified by the Department of Mental Health, Mental Retardation, and Substance Abuse Services.

Type: Regulation of Optional Activity  
Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 37.1-24.01; Department of Mental Health, Mental Retardation, and Substance Abuse Services Regulation 12 VAC 35-180-10 et seq.

Last Assessment Period: 3-1-1998 through 5-31-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Development of the Comprehensive State Plan

SHHR.DMHMRSAS009

Local community services boards and behavioral health authorities must develop and submit to the Department of Mental Health, Mental Retardation, and Substance Abuse Services information for the preparation of the Comprehensive State Plan for mental health, mental retardation, and substance abuse services.

Type: Compulsory Order

Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**

Secretariat: Health and Human Resources

Authorization: Code of Virginia §§ 37.1-197, 37.1-248

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 5-1-2001 through 6-30-2001

Comment:

---

## Involvement of Consumers and Family Members

SHHR.DMHMRSAS010

Local community services boards and behavioral health authorities must take all necessary and appropriate actions to maximize the involvement and participation of consumers and family members of consumers in policy formulation and service planning, delivery, and evaluation.

Type: Compulsory Order

Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**

Secretariat: Health and Human Resources

Authorization: Code of Virginia §§ 37.1-197, 37.1-248

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 12-1-2001 through 1-31-2002

Comment:

## Preadmission Planning

SHHR.DMHMRSAS011

Local community services boards and behavioral health authorities are required to complete of a preadmission plan for any person who is to be discharged from a State mental health facility or training center.

Type: Compulsory Order

Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**

Secretariat: Health and Human Resources

Authorization: Code of Virginia §§37.1-197.1, 37.1-248

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 7-1-2001 through 9-30-2001

Comment:

---

## Annual Performance Contract

SHHR.DMHMRSAS012

Local governments must approve the annual performance contract of the community services board or behavioral health authority before it is eligible to receive State grants. The contract must include specific outcome measures negotiated with the Department of Mental Health, Mental Retardation, and Substance Abuse Services. In addition, localities are required to provide a 10% match.

Type: Compulsory Order

Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**

Secretariat: Health and Human Resources

Authorization: Code of Virginia §§ 37.1-198, 37.1-248.1

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 10-1-2001 through 11-30-2001

Comment:

## Dispute Resolution

SHHR.DMHMRSAS013

Local community services boards and behavioral health authorities must institute dispute resolution mechanisms approved by the Department of Mental Health, Mental Retardation, and Substance Abuse Services.

Type: Compulsory Order  
Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 37.1-198, 37.1-248

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 2-1-2002 through 4-30-2002

Comment:

---

## Chief Administrative Officer

SHHR.DMHMRSAS014

Local community services boards must appoint an executive director and behavioral health authorities must appoint a chief executive officer to be employed under an annually renewable contract.

Type: Compulsory Order  
Agency: **Department of Mental Health, Mental Retardation, and Substance Abuse Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 37.1-197, 37.1-248

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 2-1-2001 through 4-30-2001

Comment:

## Regulation of Coal Surface Mining and Reclamation

SCT.DMME001

Local governments electing to engage in coal surface mining activities are subject to the requirements of the federal Surface Mining Control and Reclamation Act of 1977. State primacy is implemented through the Virginia Coal Surface Mining and Reclamation Act.

Type: Regulation of Optional Activity  
Agency: **Department of Mines, Minerals, and Energy**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia §§ 45.1-229, 45.1-234; Department of Mines, Minerals, and Energy Regulations 4 VAC 25-130-10 et seq., 4 VAC 25-140-10 et seq.; P. L. 95-87 (Fed.); 30 CFR 700 - 999 (Fed.)

Last Assessment Period: 5-1-2000 through 7-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Regulation of Mineral Mining Operations

SCT.DMME002

Local governments electing to regulate mining operations in their jurisdictions under a waiver of the State regulatory program must adopt standards at least as stringent as those set forth in Chapter 16 of Title 45.1 of the Code of Virginia.

Type: Regulation of Optional Activity  
Agency: **Department of Mines, Minerals, and Energy**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 45.1-197; Department of Mines, Minerals, and Energy Regulation 4 VAC 25-30-10 et seq.

Last Assessment Period: 5-1-2000 through 7-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Abandoned Motor Vehicles

STO.DMV001

Upon certification by a local government that an inoperable motor vehicle left on property within the locality has been disposed of as provided in the Code of Virginia, the Department of Motor Vehicles shall reimburse the locality \$50 for each inoperable abandoned motor vehicle disposed of at the expense of the locality. Localities are required to complete forms provided by the Department of Motor Vehicles to prevent the payment of undocumented claims.

Type: Regulation of Optional Activity  
Agency: **Department of Motor Vehicles**  
Secretariat: Transportation  
Authorization: Code of Virginia §§ 46.2-1200 through 1207

Last Assessment Period: 5-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Unmarked Police Vehicle License Plates

STO.DMV002

In order to receive regular license plates for use on unmarked vehicles, local governments must certify that the motor vehicles will be used solely for police work.

Type: Regulation of Optional Activity  
Agency: **Department of Motor Vehicles**  
Secretariat: Transportation  
Authorization: Code of Virginia § 46.2-750.1

Last Assessment Period: 5-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Community Traffic Safety Grant

STO.DMV003

Local governments receiving Community Traffic Safety grant funds must establish programs to reduce the number and severity of traffic crashes through enhanced response to accidents, selective traffic law enforcement, identification of pedestrian safety problems, and identification and improvement of locations that have high or potentially high accident experience. Localities receiving this grant funding are required to provide matching funds and to comply with other program requirements.

Type: Condition of Financial Aid  
Agency: **Department of Motor Vehicles**  
Secretariat: Transportation  
Authorization: Code of Virginia §§ 46.2-222 through 224; Highway Safety Act of 1966, as amended (Fed.); 23 USC 401 et seq. (Fed.)

Last Assessment Period: 4-1-1996 through 6-30-1996

Last Assessment Finding: Retain.

Current Assessment Period: 4-1-2001 through 6-30-2001

Comment:

---

## Vehicle Registration Withholding Program

STO.DMV004

The treasurer or director of finance of any locality may enter into an agreement with the Department of Motor Vehicles (DMV) for DMV to withhold a vehicle registration renewal if the applicant is delinquent in paying personal property tax. If the locality participates in the program it must comply with the requirements specified in the Code of Virginia and the formal agreement between the locality and the Department of Motor Vehicles.

Type: Regulation of Optional Activity  
Agency: **Department of Motor Vehicles**  
Secretariat: Transportation  
Authorization: Code of Virginia § 46.2-752(J)

Last Assessment Period: 10-1-1997 through 12-31-1997

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Developmental Disabilities Grant

SHHR.VBPD001

Local governments receiving competitive Developmental Disabilities grant funds must establish programs to improve service delivery to people with developmental disabilities. The minimum match requirement for grant recipients is 25% except in designated poverty areas where localities are required to provide a match of 10%. Match can be in cash or in-kind.

Type: Condition of Financial Aid  
Agency: **Virginia Board for People with Disabilities**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 51.5-33; P.L. 104-183 (Fed.); Developmental Disabilities Assistance and Bill of Rights Act of 1994 (Fed.)

Last Assessment Period: 10-1-1996 through 12-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Port Assistance Grant

STO.VPA001

Local governments requesting financial assistance for port facilities must submit a request to the Virginia Port Authority's Board of Commissioners showing that the project will further the interests of the Commonwealth. Localities are required to provide matching funds.

Type: Condition of Financial Aid  
Agency: **Virginia Port Authority**  
Secretariat: Transportation  
Authorization: Code of Virginia § 58.1-638; Virginia Port Authority Policy on Grants to Local Governments for Financial Assistance for Port Facilities

Last Assessment Period: 6-1-1996 through 8-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 6-1-2001 through 8-31-2001  
Comment:

---

## Asbestos Inspector Licensing

SCT.DPOR001

Local government employees who perform asbestos inspections, create asbestos project designs or management plans, or engage in asbestos abatement or monitoring activity must be licensed by the Department of Professional and Occupational Regulation.

Type: Regulation of Optional Activity  
Agency: **Department of Professional and Occupational Regulation**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 54.1-503; Department of Professional and Occupational Regulations 18 VAC 15-20-10 et seq.

Last Assessment Period: 3-1-1996 through 5-31-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 4-1-2001 through 6-30-2001  
Comment:

---

## Waterworks and Wastewater Works Operators License

SCT.DPOR002

Local government employees who are in charge of a waterworks or a wastewater works as a supervisor, a shift operator, or a substitute in charge, and whose duties include testing or evaluation to control waterworks or wastewater works operations, must be licensed by the Department of Professional and Occupational Regulation.

Type: Regulation of Optional Activity  
Agency: **Department of Professional and Occupational Regulation**  
Secretariat: Commerce and Trade  
Authorization: Code of Virginia § 54.1-2302; Department of Professional and Occupational Regulations 18 VAC 160-20-10 et seq.

Last Assessment Period: 7-1-1998 through 9-30-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## New Model Bus Testing

STO.DRPT002

Local governments must have new model buses tested at a facility in Altoona, Pennsylvania in order to receive mass transit federal grant funding.

Type: Condition of Financial Aid  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: 49 USC 1601 et seq. (FTA Act of 1964, as amended) (Fed.); P.L. 100-17 (Surface Transportation and Uniform Relocation Assistance Act of 1987) (Fed.); 49 CFR 665 (Fed.)

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Vested Interest in Transportation Project Equipment

STO.DRPT003

Local governments receiving funds under Section 5311 of the Department of Transportation Act, which provides funds for operation, capital, and administrative assistance to rural rail and public transportation projects, must agree that the State shall retain a vested interest in the project. Local matching funds are required.

Type: Condition of Financial Aid  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: 49 USC 1654 et. seq.

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Public Transit System Financial Report

STO.DRPT004

Public transit systems must file financial and other required statistical data annually with the Commonwealth Transportation Board.

Type: Regulation of Optional Activity  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-223.1

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Disadvantaged/Minority Business Participation

STO.DRPT005

Local governments must give small business concerns owned and controlled by socially or economically disadvantaged individuals the opportunity to compete for and perform at least ten percent of the contracts funded by federal rail and mass transit grants.

Type: Condition of Financial Aid  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: P.L. 88-352 (Fed.); 49 CFR 23 (Fed.)

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Clean Air Act Amendments

STO.DRPT006

Local governments receiving federal mass transit grant funds must comply with Clean Air Act Amendments that mandate emission reduction goals for nonattainment areas.

Type: Condition of Financial Aid  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: P.L. 101-549 (Fed.); Clean Air Act Amendments (Fed.); 40 CFR 85, 86, 600 (Fed.)

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Railroad Grant Programs

STO.DRPT007

Local governments receiving funds through the Department of Rail and Public Transportation's Industrial Access Railroad Track and Rail Preservation Programs must agree that the State shall retain a vested interest in the tracks or facilities constructed and other capital improvements procured with the funds.

Type: Condition of Financial Aid  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-221.1:1; 49 USC 1654 et seq. (Fed.)

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Contracting Regulations for Rail or Public Transportation Facility

STO.DRPT008

If a local government wants to use transportation funds to construct transportation facilities or requests the Department of Rail and Public Transportation to administer a contract using the locality's funds for the construction of such facilities, the contracting and quality control processes must comply with applicable State procurement statutes and Department of Rail and Public Transportation policies and procedures.

Type: Condition of Financial Aid  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia §§ 11-7, 33.1; Commonwealth Transportation Board Policy & Procedures; Department of Transportation's Road and Bridge Sections; State orders pertaining to public procurement, contracting, and equal employment opportunity ; Federal Highway Administration, Environmental Protection Agency, Federal wage, and Federal Procurement requirements; etc. (Fed.); Department of Transportation Act (49 USC 1654 et seq.) (Fed.)  
Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Transportation Efficiency Improvement Grant

STO.DRPT010

Local governments receiving Transportation Efficiency Improvement grant funds to undertake transportation demand management projects to reduce traffic congestion are required to provide a 20% match.

Type: Condition of Financial Aid  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-391.5 (8); Item 534, Chapter 1, Special Session I, 1998 Virginia Acts of Assembly  
Last Assessment Period: 9-1-1996 through 11-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period: 2-1-2001 through 4-30-2001  
Comment:

---

## Transportation Services for Individuals with Disabilities

STO.DRPT011

Local governments receiving federal rail or mass transit grant funds must comply with the Americans with Disabilities Act of 1990 by providing accessible service and facilities which accommodate persons with transportation disabilities.

Type: Condition of Financial Aid  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: Americans with Disabilities Act of 1990 (Fed.); P.L. 101-336 (Fed.); 42 USC 12101 through 12213 (Fed.); 47 USC 225 through 611 (Fed.); 49 CFR Parts 27, 37, and 38 (Fed.)

Last Assessment Period: 11-1-1997 through 1-31-1998

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Crosscutting requirement that applies to many or all federal assistance programs.  
Not currently scheduled for reassessment.

---

## Drug and Alcohol Testing in Transit Operations

STO.DRPT012

Local governments receiving mass transit grant funds must comply with the Omnibus Transportation Employee Testing Act of 1991 by testing for prohibited drug use and alcohol misuse by transit employees.

Type: Condition of Financial Aid  
Agency: **Department of Rail and Public Transportation**  
Secretariat: Transportation  
Authorization: Omnibus Transportation Employee Testing Act of 1991 (Fed.); 49 CFR Parts 40, 653, and 654 (Fed.)

Last Assessment Period: 11-1-1997 through 1-31-1998

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.



## **Establishment of Local Disability Services Board**

SHHR.DRS001

Local governments, either singly or in combination with other political subdivisions, must establish boards that will assess and plan for the needs of persons with physical or sensory disabilities.

Type: Compulsory Order  
Agency: **Department of Rehabilitative Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 51.5-47 through 51.5-52

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## **Energy Assistance Program**

SHHR.DSS001

Local social services agencies must accept applications and determine the eligibility of clients for the energy assistance program in accordance with State regulations. They must administer the energy assistance program using federal grant funds and any other available funds.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-25, 63.1-86, 63.1-87; Department of Social Services Regulation 22 VAC 40-680-10 et seq.; P.L. 97-35, as amended; P.L. 103-252 (Fed.)

Last Assessment Period: 6-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 3-1-2001 through 5-31-2001  
Comment:

## Merit System of Personnel Administration

SHHR.DSS002

Local social services agencies must conform to a merit system of personnel administration for administrative staff.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-61, 63.1-87; 5 CFR 900 Subpart F(b) (Fed.)

Last Assessment Period: 1-4-1994 through 12-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 9-1-2001 through 11-30-2001  
Comment:

---

## Social Services Staffing Report

SHHR.DSS007

Local social services agencies must submit reports on staffing to the Department of Social Services.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-33, 63.1-52

Last Assessment Period: 4-1-1995 through 5-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## **Social Services Administration/Record Retention and Reporting**

SHHR.DSS008

Local social services agencies must submit reports concerning administrative planning to the Department of Social Services.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-33, 63.1-52; Department of Social Services Local Administrative Manual, Ch.F

Last Assessment Period: 11-1-1994 through 12-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 9-30-2001  
Comment:

---

## **Annual Budget Required**

SHHR.DSS009

Local governments must submit a budget for local social services agencies to the Department of Social Services annually and fund a share of the budget.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-33, 63.1-91; Department of Social Services Local Administrative Manual, Ch. C

Last Assessment Period: 11-11-1994 through 12-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 8-31-2001  
Comment:

## **Administrative Records Confidentiality Required**

SHHR.DSS010

Local social services agencies must ensure and maintain the confidentiality of administrative records.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-33, 63.1-91; Department of Social Services Local Administrative Manual, Ch. C; 45 CFR Part 205.50 (Fed.)

Last Assessment Period: 9-1-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 9-1-2001 through 12-31-2001

Comment:

---

## **Employee Qualification Standards**

SHHR.DSS011

Local social services agencies must ensure that workers who investigate out-of-family complaints meet the State Board of Social Services' qualifications and that the workers receive assistance from the State Department of Social Services.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-248.6

Last Assessment Period: 12-1-1995 through 6-30-1996

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## **Long-Term Care Screening Team Participation Required**

SHHR.DSS012

Local social services agencies are required to participate in a community based screening team to evaluate individuals who will be eligible for long-term care services.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 32.1-330; Department of Social Services Policy Manual, Ch. D

Last Assessment Period: 9-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 8-1-2001 through 11-30-2001  
Comment:

---

## **Office Space Compliance Required**

SHHR.DSS014

Local social services agencies must conform to policies for office space and facilities established by the Department of Social Services.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-25; Department of Social Services Local Administrative Manual, Vol. I, Ch. D

Last Assessment Period: 7-1-1995 through 10-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 9-30-2001  
Comment:

## Auxiliary Grant Program for SSI Recipients

SHHR.DSS015

Local social services agencies must determine the eligibility of clients for the auxiliary grant program for supplemental security income (SSI) recipients and provide local funding for a share of the program costs in accordance with State regulations.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-25.1; 63.1-86-87, 63.1-92; 63.1-107 through 63.1-110; 63.1-114; 63.1-116; 63.1-119; Department of Social Services Manual Volume II, Parts I - III; Department of Social Services Medicaid Pending System Guide; Department of Medical Assistance Services Medicaid User's Guide; Social Security Act §§1616, 1618 (Fed.); 20 CFR 416.2099, 416.2095 - 416.2099 (Fed.)  
Last Assessment Period: 6-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 7-1-2001 through 12-31-2001  
Comment:

---

## Food Stamp Program

SHHR.DSS016

Local governments are required to participate in the Food Stamp program and administer the program in accordance with State regulations.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-25.2; Department of Social Services Food Stamp Policy Manual Volume V, Part XIX; 7 CFR 271 through 282 (Fed.); P.L. 88-525, Sec. 2013 (Fed.)  
Last Assessment Period: 6-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 4-1-2001 through 6-30-2001  
Comment:

---

## General Relief Program Standards

SHHR.DSS018

Local governments electing to provide the general relief program must adhere to the standards established by the State Board of Social Services.

Type: Regulation of Optional Activity  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1--87, 63.1-106

Last Assessment Period: 6-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 12-1-2001 through 3-31-2002  
Comment:

---

## Refugee Resettlement Administration and Eligibility Determination

SHHR.DSS020

Local social services agencies must determine the eligibility of clients for the refugee assistance program in compliance with procedures established by the State Board of Social Services.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-25, 63.1-86, 63.1-87, 63.1-92, 63.1-107 through 63.1-110, 63.1-114, 63.1-116, 63.1-119; Department of Social Services Regulation 22 VAC 40-400-10 et seq.; Department of Social Services Manual Volume XVIII, Department of Medical Assistance Services Medicaid User's Guide; 45 CFR 400.4, 400.23, 400.50, 400.90, 400.202, 401.12 (Fed.)

Last Assessment Period: 8-1-1994 through 1-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period: 1-1-2002 through 3-31-2002  
Comment:

## Temporary Assistance for Repatriates Program

SHHR.DSS021

Local social services agencies must determine the eligibility of clients for the temporary assistance for repatriates program.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-25; Department of Social Services Manual of Policy and Procedure, Vol. II, Part VI; 42 USC 1313 (Fed.); 45 CFR 212.1 - 212.10 (Fed.)

Last Assessment Period: 6-1-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 4-1-2001 through 6-30-2001

Comment:

---

## Medicaid Administration and Eligibility Determination

SHHR.DSS022

Local social services agencies must determine the eligibility of clients for the Medicaid program and must follow certain rules and regulations associated with determining Medicaid eligibility.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 32.1-324.1, 63.1-86, 63.1-87, 63.1-92, 63.1-97.1, 63.1-98; 63.1-107 through 63.1-110, 63.1-114; Department of Social Services Manual Volume XIII, Medicaid Pending System User Guide; Department of Medical Assistance Services Medicaid User's Guide; Social Security Act, Sec. 1902 (a) (5), (8), (19); 42 CFR 431.10, 431.200, 431.800, 435.905, 435.911, 435.912 (Fed.)

Last Assessment Period: 6-1-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 10-1-2001 through 12-31-2001

Comment:



## Eligibility for the Aid to Families with Dependent Children - Foster Care Program

SHHR.DSS023

Local social services agencies must determine the eligibility of children in foster care for the Aid to Families with Dependent Children - Foster Care Program.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-105, 63.1-105.1, 63.1-108, 63.1-109, 63.1-110; Social Security Act §§ 471 (a), 472 (a) (Fed.); 45 CFR 1356.21 (Fed.)

Last Assessment Period: 6-1-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 9-1-2001 through 11-30-2001

Comment:

---

## Caseload Reporting

SHHR.DSS026

Local social services agencies must submit reports on caseloads to the Department of Social Services.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-33, 63.1-52; Stamp Act of 1977 (Fed.); Social Security Act, Title IV-A, Title IV-B § 421, Title IV-E §§ 47, 471 (a) (15), 470 - 472 (Fed.); Family Support Act, Title II (Fed.); P.L. 96-272, P.L. 100-294, P.L. 100-435, P.L. 100-485, P.L. 101-126, P.L. 101-226, P.L. 104-193 (Fed.); 7 CFR Subpart C, 273.15, 273.16, 42 CFR 431.10, 431.800, 45 CFR 200, 205, 205.10, 205.20, 205.40, 233.16, 265 (Fed.)

Last Assessment Period: 1-1-1995 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period: 1-1-2002 through 3-31-2002

Comment:

## Social Services Board Records Retention Policy

SHHR.DSS027

Local social services agencies are required to preserve for such length of time as the Department of Social Services may prescribe a record of the decision of the local social services board and all supporting documents and records including the findings and recommendations of the local superintendent.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-115

Last Assessment Period: 1-1-1994 through 8-1-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2001 through 12-31-2001  
Comment:

---

## Family-Based Social Services Policy

SHHR.DSS029

Local social services agencies are required to implement a family-based social services policy for specified populations of families.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-25, 63.1-56, 63.1-248.1; Department of Social Services Regulation 22 VAC 40-800-10 et seq.

Last Assessment Period: 10-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Family Preservation Services Requirements

SHHR.DSS030

Local social services agencies are responsible for the development and delivery (or purchase) of family preservation services, including services to prevent or eliminate the need for foster care or other out-of-home placements.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-25, 63.1-55, 63.1-156, 63.1-248; Department of Social Services Manual, Vol. VII, Ch. E; Department of Social Services Regulation 22 VAC 40-800-10 et seq.; Social Security Act, Title IV-B, Title IV-E (Fed.)

Last Assessment Period: 7-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Child Protective Services

SHHR.DSS031

Local social services agencies are required to provide child protective services and to administer the program in accordance with State regulations.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-248.6; 22 VAC 40-720-10 et seq.; Department of Social Services Program Manual Volume VII §III, Ch. A; P. L. 100-294, as amended by P.L. 104-235 (Fed.)

Last Assessment Period: 1-1-1996 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Foster Care Services

SHHR.DSS032

Local social services agencies are required to provide foster care. In addition, local social services agencies must follow State board regulations, including those for the interstate and intercountry placement of children.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 2.1-757, 16.1-281, 16.1-282, 63.1-33, 63.1-55, 63.1-55.8, 63.1-56, 63.1-56.2, 63.1-206, 63.1-206.1, 63.1-207, 63.1-207.1; Department of Social Services Regulations 22 VAC 40-210-10 et seq.; State Board of Social Services Policy, 1977; Department of Social Services Service Program Manual Vol. VII, Ch. B, D, and E; Social Security Act, Title IV-E §§ 470 through 472 (Fed.); 45 CFR 1355-57 (Fed.)  
Last Assessment Period: 7-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Adoption and Other Services

SHHR.DSS033

Local social services agencies are required to provide adoption services and to administer the program in accordance with State regulations.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 16.1-283, 63.1-55, 63.1-219.7 et seq., 63.1-238.3; Department of Social Services Regulations 22 VAC 40-220-10 et seq.; Department of Social Services Service Program Manual Volume VII § III, Ch. C, D; Social Security Act, Title IV-B § 421 and Title IV-E § 47 (Fed.)  
Last Assessment Period: 7-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: This mandate was expanded by the 2000 General Assembly (Chapter 290, 2000 Virginia Acts of Assembly) to require local social services boards to inform adoptive parents of children with special needs of eligibility for subsidy and other specified information. The chapter clarifies that the local board initiating adoption assistance retains responsibility for subsidy payments if adoptive parents move to another jurisdiction. Not currently

---

## Court-Ordered Evaluation for Guardianship

SHHR.DSS034

If so ordered by the court, local social services agencies must assist in the preparation of a comprehensive evaluation of a person who is before the court for the appointment of a guardian.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 37.1-128.1, 37.1-134.11

Last Assessment Period: 12-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Long-Term Care Services Coordination Committee

SHHR.DSS035

The governing body of each county or city, or combination thereof, must designate a lead agency and member agencies to accomplish the coordination of local long-term care services. Representatives from the local department of public health, the local social services agency, the community services board or the community mental health clinic, the area agency on aging, and the local nursing home preadmission screening team must serve on the coordination committee.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 2.1-373.7; Department of Social Services Manual, Vol. VII, Ch. D

Last Assessment Period: 9-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Adult Protective Services

SHHR.DSS037

Local social services agencies are required to identify specific protective services for adults found to need protective services and to provide those services to the extent that federal or State matching funds are available. The local agency must conduct investigations into reports that older and/or incapacitated adults are abused, neglected, or exploited, and must also submit reports on protective services.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-33, 63.1-52, 63.1-55.1; State Board of Social Services Policy; Department of Social Services Service Program Manual Volume VII § IV, Ch. A

Last Assessment Period: 12-1-1995 through 6-30-1996

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Adult and Family Care Program Requirements

SHHR.DSS038

Local social services agencies participating in the adult and family care program must comply with State rules and regulations.

Type: Regulation of Optional Activity  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-55.1:1; Department of Social Services Service Program Manual Volume VII, Ch. D

Last Assessment Period: 9-1-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Services to Victims of Spouse Abuse

SHHR.DSS039

Local social services agencies are required to (1) provide services directly to victims of spouse abuse to the extent that funds are available and (2) promote interagency cooperation for data collection, technical assistance, and service delivery.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-317.1

Last Assessment Period: 9-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Services to Person Discharged from State Hospital

SHHR.DSS040

Local social services agencies are required to assume responsibility for the provision of social services to persons discharged from State hospitals.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 37.1-98; Department of Social Services Policy Manual, Vol. VII, Ch. A through D

Last Assessment Period: 9-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Home-Based Services

SHHR.DSS041

Local social services agencies are required to provide home-based services to the extent that federal or State matching funds are available.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-55.01; State Board of Social Services Policy, January 1975; and Department of Social Services Service Program Manual Volume VII § IV, Ch. B

Last Assessment Period: 12-1-1995 through 6-30-1996

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Long-Term and Transitional Child Day Care Services

SHHR.DSS042

Local social services agencies must provide child day care services to eligible recipients of Temporary Assistance to Needy Families (TANF), the Virginia Initiative for Employment Not Welfare (VIEW), and the Food Stamp Employment and Training Program (FSET). In addition, local social service agencies must provide on a sliding fee scale basis transitional child day care services to eligible, employed former recipients of TANF.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-25, 63.1-55; Department of Social Services Manual, Vol. VII, Ch. D; P.L. 100-435, P.L. 100-845 (Fed.); Family Support Act of 1988, Hunger Prevention Act of 1988, Omnibus Budget Reconciliation of 1990 (Fed.)

Last Assessment Period: 9-1-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.



## Food Stamp, Employment, and Training Program (FSET)

SHHR.DSS043

Local social services agencies must provide employment services to recipients of food stamp assistance, including general relief recipients receiving food stamps, who are not otherwise exempt due to age, disability, etc., or due to participation in the Job Opportunities and Basic Skills Training.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-25.2; Food Stamp Employment and Training Program Annual Plan; Food Stamp Act, Food Security Act, Hunger Prevention Act, Mickey Leland Memorial Domestic Hunger Relief Act (Fed.); 7 CFR 271 through 273, 277 (Fed.)

Last Assessment Period: 7-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment. This program applies to a selected group of 42 local social services agencies.

---

## Purchase of Child Day Care Services

SHHR.DSS045

Local social services agencies must purchase child day care services, to the extent that funding is available, for low income families who need child care to support education and/or training activities (Fee System/Block Grant child day care program) and to support employed (Fee System/Block Grant and Fee System At-Risk child day care programs). Eligible clients contribute to the cost of care in accordance with a sliding fee scale.

Type: Condition of Financial Aid  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: P.L. 101-508 (Fed.); Omnibus Budget Reconciliation Act of 1990 §§ 5081, 5082 (Fed.)

Last Assessment Period: 12-1-1995 through 6-30-1996  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Integration of Community Services

SHHR.DSS046

Local social service agencies are required to develop, with the community services boards, joint annual written agreements to specify what services will be provided to clients. Local social services agencies are also required to serve on prescription teams to facilitate the integration of community services necessary for predischarge planning for clients referred to community services boards.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 37.1-197.1; Department of Social Services Service Program Manual Volume VII § IV, Ch. D, 1d and 2b

Last Assessment Period: 12-1-1995 through 6-30-1996

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Intake Services

SHHR.DSS047

Local social services agencies are required to provide the following intake services: (1) accepting and processing service applications; (2) arranging for family planning; and (3) periodic screening, diagnosis, and treatment for children.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-25

Last Assessment Period: 10-1-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Case Management Services

SHHR.DSS048

Local social services agencies are required to provide case management services including disposition of service applications, service planning, service delivery, monitoring and case closure.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-25, 63.1-55.01; Department of Social Services Regulation 22 VAC 40-780-10 et seq.; State Board of Social Services Policy 10/77

Last Assessment Period: 10-1-1994 through 3-31-1995

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Out-of-Home and In-Home Services Approval

SHHR.DSS050

Local social services agencies must approve out-of-home and in-home providers.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Department of Social Services Regulation 22 VAC 40-780-10 et seq.

Last Assessment Period: 10-1-1994 through 6-30-1996

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Child Day Centers, Camps, and Schools Licensing

SHHR.DSS051

Local governments that operate child day centers, nursery schools, child day care camps, before and after school child care programs, family day systems, or child caring institutions must be licensed by the Department of Social Services.

Type: Regulation of Optional Activity  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-196; Child Day-Care Council Regulation 22 VAC 15-30-10 et seq.; Department of Social Services Regulations 22 VAC 40-100-10 et seq. and 22 VAC 40-120-10 et seq.

Last Assessment Period: 7-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Confidentiality of Client Social Services Program Records

SHHR.DSS052

Local social services agencies must ensure and maintain the confidentiality of client records for social service programs.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-53; Department of Social Services Local Administrative Manual, Ch. C

Last Assessment Period: 10-1-1994 through 3-31-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## **Adult Day Care Centers and Adult Homes Licensing**

SHHR.DSS053

Local governments that operate adult day care centers for profit or adult care residences must be licensed by the Department of Social Services.

Type: Regulation of Optional Activity  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-175, 63.1-194.5; Department of Social Services Regulations 22 VAC 40-60-10 et seq. and 22 VAC 40-70-10 et seq.  
  
Last Assessment Period: 10-1-1994 through 6-30-1995  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## **Purchase of Service System**

SHHR.DSS055

Local social services agencies are required to participate in the Department of Social Services Purchase of Service system. Using this system, local departments of social services purchase social services for eligible clients from approved vendors or community resources.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Department of Social Services Local Policy and Procedures Manual, Vol. VII § I, Ch. G  
  
Last Assessment Period: 12-1-1995 through 6-30-1996  
Last Assessment Finding: Eliminate.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## AmeriCorps Grant

SHHR.DSS057

Local governments receiving AmeriCorps grant funds must establish volunteer programs to address local problems that employ at least 20 full-time or 40 part-time individuals age 17 years or older. Localities receiving funds for such activities are required to provide a match of 15% to 25% and to comply with other program requirements

Type: Condition of Financial Aid  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: National and Community Trust Act of 1993

Last Assessment Period: 6-30-1997 through 12-31-1997  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Spouse Abuse Grant

SHHR.DSS058

Local governments receiving Virginia Family Violence Prevention Spouse Abuse grant funds must develop programs to initiate and strengthen basic community services for victims of domestic violence; expand community education on domestic violence issues; increase outreach services, support, and advocacy for victims of domestic violence; and increase services for batterers. Localities receiving funds for such activities are required to provide a 25% match and to comply with other program requirements.

Type: Condition of Financial Aid  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-248.7(c), 63.1-319; Item 400, Chapter 1, Special Session I, 1998 Virginia Acts of Assembly

Last Assessment Period: 2-1-1996 through 6-30-1996  
Last Assessment Finding: Eliminate.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Child Abuse and Neglect Prevention Grant

SHHR.DSS059

Local governments receiving Virginia Family Violence Prevention Child Abuse and Neglect Prevention grant funds must establish programs aimed at preventing the factors causing child abuse and neglect. Localities receiving funds for such activities are required to provide a 25% match and to comply with other program requirements.

Type: Condition of Financial Aid  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-248.7(c); Item 400, Chapter 1, Special Session I, 1998 Virginia Acts of Assembly

Last Assessment Period: 10-1-1996 through 3-31-1997  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Child Abuse and Neglect Treatment Grant

SHHR.DSS060

Local governments receiving Virginia Family Violence Prevention Child Abuse and Neglect Treatment grant funds must establish programs to provide direct services to victims of child abuse and neglect. Localities receiving funds for such activities are required to provide a match of 20% to 35% and to comply with other program requirements.

Type: Condition of Financial Aid  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-248.7(c); Item 455, Chapter 1, Special Session I, 1998 Virginia Acts of Assembly; P.L. 98-473 (Fed.), 42 USC 10603 (Fed.)

Last Assessment Period: 10-1-1996 through 3-31-1997  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Local Board and Superintendent of Public Welfare

SHHR.DSS061

Local governments shall have a local Board and Superintendent of Public Welfare.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-38 and 63.1-59

Last Assessment Period: 4-1-1998 through 6-30-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Assessment in Adult Care Residences

SHHR.DSS062

Local social services agencies must assess residents of adult care residences (ACR) and applicants for residency using the Uniform Assessment Instrument to determine care needs. Any subsequent change in a resident's condition which would affect admission to an ACR shall cause a new assessment to be completed.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia §§ 63.1-25, 63.1-173.3; 22 VAC 40-745-10 et seq.

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## **Temporary Assistance to Needy Families (TANF)**

SHHR.DSS063

Local social services agencies are required to participate in the Temporary Assistance to Needy Families Program (TANF) and to administer the program in accordance with State regulations.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-86.1; P.L. 104-193 (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 10-1-2000 through 12-31-2000

Comment:

---

## **Virginia Initiative for Employment not Welfare (VIEW)**

SHHR.DSS064

Local social services agencies must operate the Virginia Initiative for Employment not Welfare (VIEW) program to assist recipients of Temporary Assistance to Needy Families (TANF) to become economically self-sufficient by assisting in the removal of barriers and disincentives to work and to offer opportunities and work skills training.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-133.41; P.L. 104-193 (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 1-1-2001 through 3-31-2001

Comment:

## New Hires Reporting

SHHR.DSS065

Local governments must report new hires, unless exempted by statute or regulation, to the Virginia New Hire Reporting Center, operated under the Division of Child Support Enforcement, within 20 days of the initial hire.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-274.11

Last Assessment Period: 8-1-1995 through 10-31-1995

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: By action of the 1998 General Assembly (Chapter 108 of the 1998 Virginia Acts of Assembly), the responsibility for collecting and maintaining data on new hires reporting was transferred from the Virginia Employment Commission to the Department of Social Services. This change became effective July 1, 1998. This mandate was originally assessed by the Virginia Employment Commission. Not currently scheduled for reassessment.

---

## Fraud Control Program

SHHR.DSS066

Local social services agencies must establish fraud prevention and investigation units in compliance with State Board of Social Services regulations. Such units may be established in cooperation with other local social services agencies.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-58.2

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1998; not currently scheduled for assessment.

---

## Annual Reports by Guardians

SHHR.DSS067

Local social services agencies receiving annual reports by guardians must file a copy of such reports within 60 days to the clerk of the circuit court that appointed the guardian. Additionally, twice each year local agencies must file with the clerk of the circuit court a list of all guardians more than ninety days delinquent in filing an annual report.

Type: Compulsory Order  
Agency: **Department of Social Services**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 37.1-137.2

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal impact: Data not available.

---

## Arrest Report

SPS.VSP001

Local law enforcement agencies are required to submit an arrest report for any jailable offense to the Central Criminal Records Exchange (CCRE). The report must contain such information as is required by the CCRE and shall be accompanied by fingerprints of the individual arrested.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 19.2-390; Omnibus Crime Control and Safe Streets Act of 1968 as amended by the Crime Control Act of 1973 (Fed.)

Last Assessment Period: 3-1-1999 through 5-31-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Vehicle Inspection Station Standards

SPS.VSP002

Local governments that operate motor vehicle inspection stations must comply with Department of State Police regulations governing such operation.

Type: Regulation of Optional Activity  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 46.2-1163

Last Assessment Period: 4-1-1999 through 6-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Virginia Criminal Information Network

SPS.VSP003

Local law enforcement agencies that join the Virginia Criminal Information Network must comply with Department of State Police regulations governing its operation, including mandated training of operators, and must bear a portion of the cost of establishing, operating, and maintaining such systems.

Type: Regulation of Optional Activity  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 52-12, 52-14, 52-15, 19.2-389; 28 USC 20 (Fed.); 28 USC 534 (Fed.); P.L. 101-647 (Fed.)

Last Assessment Period: 6-1-1999 through 8-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Uniform Crime Reporting System

SPS.VSP005

Local law enforcement agencies must report certain crimes and offenses to the Department of State Police for statewide crime reporting and for transmittal to the Federal Bureau of Investigation Uniform Crime Reporting System.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 52-25, 52-28; Virginia UCR Guide Manual; 28 USC 534 (Fed.)

Last Assessment Period: 6-1-2000 through 8-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Missing Children Information Clearinghouse

SPS.VSP006

Local law enforcement agencies must forward reports of missing children to a Missing Children Information Clearinghouse maintained by the Department of State Police.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 52-31 through 34

Last Assessment Period: 9-1-2000 through 11-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Terrorist Acts Report

SPS.VSP007

Local law enforcement agencies are required to report all terroristic acts occurring in their jurisdiction to the Department of State Police.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 52-8.5; 28 USC 534 (Fed.)

Last Assessment Period: 2-1-1999 through 4-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Criminal Firearms Clearinghouse

SPS.VSP008

Local law enforcement agencies must report information on all firearms that come into their possession which are believed to have been used in the commission of a crime to the Criminal Firearms Clearinghouse maintained by the Department of State Police.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 52-25.1

Last Assessment Period: 9-1-1997 through 11-30-1997  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Sex Offender and Crimes Against Minors Registry

SPS.VSP009

Local law enforcement agencies are required to submit fingerprints, a photograph, and other information on sex offenders to the State Police within seven days of sentencing. Clerks of the Circuit Court must report such convictions within the same period for entry into the Sex Offender Registry.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia §§ 19.2-298.1, 19.2-390.1; Violent Crime Control and Law Enforcement Act of 1994 as amended by the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (Fed.)

Last Assessment Period: 2-1-2000 through 4-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Youth Gangs Reporting

SPS.VSP010

Local law enforcement agencies are required to enter the names of juveniles who have been arrested or determined to be a member of a youth gang into the Virginia Criminal Information Network.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 16.1-299.2

Last Assessment Period: 5-1-2000 through 7-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Concealed Handgun Authorization/Permit

SPS.VSP011

Local law enforcement agencies are required to submit a copy of a favorable review consultation and the Clerk of the Court must submit a copy of the concealed handgun permit to the Department of State Police for entry into the Virginia Criminal Information Network.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 18.2-308

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 2-1-2001 through 4-30-2001

Comment:

---

## Unserved Felony Warrants or Capias Reporting

SPS.VSP012

Local law enforcement agencies are required to enter unserved felony warrant and capias information into the Virginia Criminal Information Network with 72 hours of receipt.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 19.2-390

Last Assessment Period: 8-1-2000 10-31-2000

Last Assessment Finding:

Current Assessment Period:

Comment: Not currently scheduled for reassessment.



## Registration of Machine Guns

SPS.VSP013

Local law enforcement agencies are required to register their department's machine guns with the Department of State Police within 24 hours of acquisition.

Type: Compulsory Order  
Agency: **Department of State Police**  
Secretariat: Public Safety  
Authorization: Code of Virginia § 18.2-295

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period: 1-1-2001 through 3-31-2001

Comment:

---

## Banks' Returns on Net Capital

SFIN.TAX001

Commissioners of revenue are required to certify copies of banks' returns on net capital and schedules and transmit certified copies to the Department of Taxation.

Type: Compulsory Order  
Agency: **Department of Taxation**  
Secretariat: Finance  
Authorization: Code of Virginia § 58.1-1207

Last Assessment Period: 2-1-1999 through 4-30-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Taxpayer Assistance

SFIN.TAX002

Commissioners of revenue must provide taxpayer assistance necessary for the preparation of any return required to be filed with his or her office or as directed by the State tax commissioner.

Type: Compulsory Order  
Agency: **Department of Taxation**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 58.1-202, 58.1-3108

Last Assessment Period: 7-1-1994 through 12-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2001 through 12-31-2001  
Comment:

---

## Annual Assessment Sales Ratio Study

SFIN.TAX003

The clerk of the circuit court for each jurisdiction must forward the recordation receipts for all property conveyances for each month to the Department of Taxation. In addition, local assessing officers must make available to the State Tax Commissioner data necessary to conduct an annual assessment sales ratio study. Upon publication of the study, the local assessing officer must post a copy of the study in his or her office.

Type: Compulsory Order  
Agency: **Department of Taxation**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 58.1-207, 58.1-208, 58.1-2604, 58.1-3201, 58.1-3259, 58.1-3303; 49 USC 11503 (Fed.)

Last Assessment Period: 2-1-1999 through 4-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Income and Fiduciary Tax Returns

SFIN.TAX004

Cities and counties must obtain income and fiduciary tax returns, audit the returns, make any necessary assessments, deposit any tax due payments, and forward the returns to the Department of Taxation.

Type: Compulsory Order  
Agency: **Department of Taxation**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 58.1-305, 58.1-307, 58.1-382, 58.1-3107

Last Assessment Period: 7-1-1994 through 12-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2001 through 12-31-2001  
Comment:

---

## Estimated Tax Payment

SFIN.TAX005

Certain individuals, trusts, and estates must file a declaration of estimated tax with the commissioner of the revenue and make necessary payments to the treasurer. The commissioner of the revenue and treasurer are required to record the payment information daily and submit the information to the Department of Taxation.

Type: Compulsory Order  
Agency: **Department of Taxation**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 58.1-490 et seq.

Last Assessment Period: 10-1-1994 through 12-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2001 through 12-31-2001  
Comment:

## Recordation and Will Taxes

SFIN.TAX006

Clerks of the circuit court for each city and county must collect and deposit recordation taxes and taxes on wills.

Type: Compulsory Order  
Agency: **Department of Taxation**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 58.1-800 through 807, 58.1-809 through 811, 58.1-1711 through 1714, 58.1-1718, 58.1-3801

Last Assessment Period: 9-1-1994 through 11-30-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2001 through 12-31-2001  
Comment:

---

## Real Estate Reassessment Standards

SFIN.TAX007

Local governments must reassess real estate at certain intervals. The intervals are determined by the locality type and the population of the locality. Local governments must assess real estate at 100 percent fair market value.

Type: Compulsory Order  
Agency: **Department of Taxation**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 58.1-3201, 58.1-3250 through 3254

Last Assessment Period: 6-1-1994 through 8-31-1994  
Last Assessment Finding: Retain.  
Current Assessment Period: 10-1-2001 through 12-31-2001  
Comment:

## **Tax-Exempt Real Property Inventory**

SFIN.TAX008

Local assessing officers must assess tax exempt real estate at its fair market value and maintain an inventory of tax exempt and tax immune real estate. A total of assessed valuations and a computation of the percentage of the exempt and immune property to all property assessed must be published annually and a copy must be filed with the Department of Taxation.

Type: Compulsory Order  
Agency: **Department of Taxation**  
Secretariat: Finance  
Authorization: Code of Virginia § 58.1-3604

Last Assessment Period: 2-1-1999 through 4-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## **Business, Professional, and Occupational License Tax Administrative Appeals Process**

SFIN.TAX009

Local governments that levy a local BPOL tax must implement an administrative appeals process that permits taxpayers to appeal license tax assessments resulting from an audit.

Type: Regulation of Optional Activity  
Agency: **Department of Taxation**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 58.1-3703.1 A (5), 58.1-1822, 58.1-3984

Last Assessment Period: 8-1-2000 through 10-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Information Technology Access for the Visually Impaired

SOTECH.DTP001

Local governments that use funds provided by the Commonwealth to purchase information technology for use by employees, program participants, or the public are required to ensure that such technology is adaptable for access by individuals who are visually impaired, provided that the essential elements of the technology are not visual or that nonvisual equivalence is unavailable.

Type: Compulsory Order  
Agency: **Department of Technology Planning**  
Secretariat: Technology  
Authorization: Code of Virginia §§ 2.1-807 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 1999; not currently scheduled for assessment.

---

## Internet Privacy Policy

SOTECH.DTP002

Local governments having an Internet web site must develop an Internet privacy policy and an Internet privacy statement explaining the policy to the public. The policy must be consistent with requirements set out in the Code of Virginia. The policy must be developed by December 1, 2000 and the policy statement must be displayed on the web site by January 1, 2001.

Type: Compulsory Order  
Agency: **Department of Technology Planning**  
Secretariat: Technology  
Authorization: Code of Virginia § 2.1-380

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Program effective July 1, 2000; not currently scheduled for assessment. Fiscal impact: Data not available.

## Metropolitan Transportation Planning

STO.VDOT001

Local governments in urbanized areas that receive federal capital or operating financial assistance through the Federal Aid Highway Act and the Urban Mass Transportation Act must have a comprehensive, cooperative, and continuing transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area. These plans and programs support transportation improvements and subsequent project development activities in the area.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: 23 USC 134 (Fed.); 23 CFR 450 (Fed.)

Last Assessment Period: 2-1-1999 through 3-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Statewide Transportation Planning Assistance

STO.VDOT002

The Department of Transportation provides funds to 20 of the 21 planning district commissions in the State to conduct transportation planning assistance to local governments that are not members of a metropolitan planning organization. Localities participating in this program are required to provide 20% of the costs.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: 23 USC 135 (Fed.); 23 CFR 450 (Fed.)

Last Assessment Period: 2-1-1999 through 3-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## VDOT Revenue Sharing Program

STO.VDOT003

Counties participating in the Department of Transportation's Revenue Sharing Program must provide matching funds up to \$500,000 for approved transportation projects. Such projects include (1) maintaining, improving, or constructing primary or secondary roads; or (2) bringing subdivision streets up to standards sufficient to qualify for State maintenance.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-75.1

Last Assessment Period: 3-1-1999 through 5-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Sidewalk and Storm Sewer Cost-Sharing

STO.VDOT004

Local governments desiring to include new sidewalk and storm sewer facilities as components of secondary system improvement projects are required to participate in the costs of those facilities if such are determined by the Commonwealth Transportation Board to be nonessential to the projects.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia §§ 33.1-67, 33.1-79, 33.1-82

Last Assessment Period: 3-1-1999 through 5-31-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Residential Cut-Through Traffic Policy

STO.VDOT005

Local governments (except Arlington and Henrico Counties) must hold public hearings and make formal requests to the Department of Transportation before cut-through traffic restrictions are implemented on secondary highways.

Type: Regulation of Optional Activity  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 46.2-809.1, Commonwealth Transportation Board Resolution dated May 9, 1996.

Last Assessment Period: 2-1-1999 through 4-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Industrial Access Road

STO.VDOT006

Local governments participating in the Department of Transportation's Industrial Access Roads Program must request funds by resolution of the governing body, provide right of way at no cost to the program, and provide matching funds up to \$150,000 for allocations over \$300,000.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-221

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Airport Access Road

STO.VDOT007

Local governments participating in the Department of Transportation's Airport Access Roads Program for publicly owned airports must request funds by resolution of the governing body, provide right-of-way at no cost to the program, and provide matching funds up to \$150,000 for allocations over \$300,000.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-221

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Recreational Access Road

STO.VDOT008

Local governments participating in the Department of Transportation's Recreational Access Program must request funds by resolution of the governing body, provide right of way at no cost to the program, provide matching funds up to \$100,000 for allocations over \$250,000 for a road and up to \$15,000 for a bikeway; adopt a zoning ordinance prior to requesting funds for a bikeway; and designate the road as a scenic highway or byway.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-223

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Subdivision Street Development Control

STO.VDOT009

Localities must adopt a subdivision ordinance requiring subdivision streets to meet Virginia Department of Transportation standards as prerequisite to the State's acceptance of those streets into the secondary system for maintenance and improvement.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia §§ 15.2-2240, 33.1-12, 33.1-69, 33.1-72.1, 33.1-229; Department of Transportation Subdivision Street Requirements

Last Assessment Period: 7-1-1999 through 9-30-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: This mandate was expanded by the 1998 General Assembly (Chapter 338, 1998 Virginia Acts of Assembly) to require localities to pay any additional maintenance costs if streets require pavement widths different from the VDOT standard.  
Not currently scheduled for reassessment.

---

## Urban Street Construction

STO.VDOT010

Cities and towns with a population over 3,500 must contribute 2% of the cost of any project to construct, reconstruct, or improve streets and highways within their jurisdiction. For towns with a population under 3,500 and which maintain their own streets, the State will pay 100% of such projects.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia §§ 33.1-23.1 and 23.3, 33.1-44; P.L. 102-240 (Intermodal Transportation Efficiency Act of 1991) (Fed.)

Last Assessment Period: 2-1-1999 through 3-31-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Urban Street Payments

STO.VDOT011

Cities and towns above 3,500 population (and certain towns under 3,500) that maintain their own streets are eligible to receive State financial assistance for maintenance, construction, or reconstruction of streets. To be eligible, the streets must meet established pavement and right of way widths and established maintenance standards. The municipality must provide annual certification that none of the money has been expended for anything other than maintenance, construction, or reconstruction of eligible streets.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-41.1

Last Assessment Period: 2-1-1999 through 3-31-1999  
Last Assessment Finding: Alter.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Entrance to State Highway Standards

STO.VDOT012

All entrances to State highways must be in accordance with Virginia Department of Transportation's "Minimum Standards of Entrances to State Highways."

Type: Compulsory Order  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia §§ 33.1-197, 33.1-198

Last Assessment Period: 1-1-2000 through 3-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Traffic Signs, Signals, and Markings

STO.VDOT013

Traffic signs, signals, and markings placed or erected by local governments must conform in size, design, and color to those erected for the same purpose by the Department of Transportation.

Type: Compulsory Order  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 46.2-1312

Last Assessment Period: 1-1-2000 through 3-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Maintenance and Construction Operations

STO.VDOT014

Local governments performing construction and maintenance operations on streets and highways in the State must comply with the guidelines and uniform traffic control contained in Part VI of the Virginia Supplement to the Manual on Uniform Traffic Control Devices.

Type: Compulsory Order  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 46.2-1312

Last Assessment Period: 1-1-2000 through 3-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Removal of Outdoor Advertising

STO.VDOT015

Local governments that remove, under local ordinances, lawfully erected and maintained outdoor advertising signs visible from interstate and federal primary highways and the national highway system must compensate the owners of the signs and the owners of the property for their removal.

Type: Compulsory Order  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-370; 23 USC 131 (Fed.)

Last Assessment Period: 4-1-1999 through 4-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Transportation Enhancement Program

STO.VDOT016

The Department of Transportation is required to reserve 10% of the Surface Transportation Program funds it receives under the Intermodal Surface Transportation Efficiency Act of 1991 for transportation enhancement activities that go beyond the normal elements of a transportation improvement project. Such activities must relate to the intermodal transportation system in function, proximity, or impact, and the activities should increase the value or worth of a project or make it more esthetically pleasing. Local governments receiving funds for such activities are required to provide a 20% match. In addition, the grantee must also comply with various other

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: 23 USC 133(d)(2) (Fed.)

Last Assessment Period: 2-1-2000 through 2-29-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Curb Ramp Standards

STO.VDOT017

Local governments requiring curbs along their streets that incorporate accessible pedestrian routes must also require that curb ramps be constructed at intersections for use by persons with mobility impairments. Such ramps must comply with Virginia Department of Transportation Road and Bridge Standards.

Type: Compulsory Order  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 15.2-2021; 42 USC 12101 et seq. (Americans With Disabilities Act) (Fed.); 28 CFR 35 (Fed.); 49 CFR Parts 27, 37, 38 (Fed.)

Last Assessment Period: 1-4-1994 through 12-31-1994

Last Assessment Finding: Retain.

Current Assessment Period: 2-1-2001 through 4-30-2001

Comment:

---

## Bridge Safety Inspection Standards

STO.VDOT018

Local governments must have all bridges and culverts on public roads inspected at regular intervals according to National Bridge Inspection Standards.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-12; 23 CFR 650, Subpart C (Fed.); National Bridge Inspection Standards (Fed.)

Last Assessment Period: 2-1-2000 through 4-30-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Local Use of Transportation Funds

STO.VDOT022

If a local government wants to use transportation funds to construct transportation facilities or requests the Department of Transportation to administer a contract using its funds for the construction of such facilities, the contracting process and quality control processes must comply with applicable State procurement statutes and Department of Transportation policies and procedures.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia Title 33.1, §11-7

Last Assessment Period: 2-1-2000 through 4-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Six-Year Secondary Improvement Plan

STO.VDOT023

The governing body of each county in the secondary highway system and the City of Suffolk must, in cooperation with a designated representative of the Department of Transportation, adopt a six-year secondary road improvement plan. This plan must be officially updated at least once every two years.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-70.01

Last Assessment Period: 7-1-2000 through 9-30-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.



## Regulation of Truck Traffic

STO.VDOT024

The Commonwealth Transportation Board, in response to a formal request by a local governing body and after such body has held public hearings, may prohibit or restrict the use by through truck traffic of any part of a secondary highway if a reasonable alternate route is provided.

Type: Regulation of Optional Activity  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 46.2-809

Last Assessment Period: 1-1-2000 through 3-31-2000  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Annual Mileage Report

STO.VDOT025

The Department of Transportation requires counties not in the State secondary road system (Arlington and Henrico Counties) to report annually the additional mileage added to local road systems in order to calculate payments for the maintenance of their local roads.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-23.5:1

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Americans With Disabilities Act

STO.VDOT027

Local governments receiving State and federal financial assistance for transportation programs must comply with the provision of the Americans with Disabilities Act.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 51.5-40; P.L. 101-336 (Fed.); Department of Transportation Act Section 5 (49 USC 1654 et. seq.) (Fed.)

Last Assessment Period: 2-1-1994 through 12-31-1994

Last Assessment Finding: Retain.

Current Assessment Period: 1-1-2001 through 4-30-2001

Comment:

---

## Local Transportation Improvement District

STO.VDOT028

Adjoining counties wishing to create a transportation improvement district must adhere to a petition, notification, hearing, and resolution process set forth in statute.

Type: Regulation of Optional Activity  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: Code of Virginia § 33.1-409 et seq.

Last Assessment Period: 2-1-1997 through 2-28-1997

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

## Highway Safety Improvement Program (HSIP)

STO.VDOT029

The Department of Transportation is required to reserve 10% of the Surface Transportation Funds it receives under the The Transportation Efficiency Act of 1998 to improve areas where there is an abnormally high incidence of accidents or to reduce the occurrence and potential of railroad grade crossing accidents. Local governments receiving funds for such projects are required to provide a 10% match. In addition, grantees must also comply with various federal regulations concerning personnel matters, purchasing, etc.

Type: Condition of Financial Aid  
Agency: **Department of Transportation**  
Secretariat: Transportation  
Authorization: 23 USC 152 (Fed.); The Transportation Efficiency Act of 1998 (Fed.)

Last Assessment Period: 10-1-1997 through 10-31-1997  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Tax Law Compliance for Bond Sale to Virginia Public School Authority

SFIN.TD002

Local governments that issue general obligation school bonds and sell such bonds to the Virginia Public School Authority are required to adhere to all applicable requirements of the Internal Revenue Code of 1986, as amended, and any regulations issued by the U.S. Treasury Department.

Type: Regulation of Optional Activity  
Agency: **Department of the Treasury**  
Secretariat: Finance  
Authorization: Internal Revenue Code §§ 1.103, 1.144 through 1.149 (Fed.); U.S. Treasury Regulations (Fed.)

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## **Investment of Virginia Public School Authority Bond Proceeds**

SFIN.TD003

Local governments participating in any Virginia Public School Authority pooled financing are required to invest the proceeds from the sale of their local school bonds in the Virginia State Non-Arbitrage Program.

Type: Regulation of Optional Activity  
Agency: **Department of the Treasury**  
Secretariat: Finance  
Authorization: Virginia Public School Authority General Pooled Bond Policy § 11; Internal Revenue Code §§ 1.103 and 1.148 (Fed.)

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## **Virginia Public Building Authority Jail Construction Reimbursement Program**

SFIN.TD004

Local governments seeking reimbursement from the Commonwealth for a portion of the capital costs and financing costs or interest costs of constructing a jail facility must apply for reimbursement through the Department of the Treasury.

Type: Regulation of Optional Activity  
Agency: **Department of the Treasury**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 53.1-82.2, 53.1-82.3; Virginia Public Building Authority Guidelines

Last Assessment Period: 7-1-1998 through 9-30-1998  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Depositing Requirements for State Funds

SFIN.TD006

Each treasurer shall deposit all State moneys collected or received from all sources directly into the account of the State treasury without any deduction and make a statement of all State revenue collected since the last report to the comptroller.

Type: Compulsory Order  
Agency: **Department of the Treasury**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 2.1-198, 58.1-3168

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Exception Reporting by Public Depositor

SFIN.TD007

Pursuant to the Virginia Security for Public Deposits Act and related regulations, public depositors must notify the State Treasurer of any discrepancy between the public depositor's records and the information provided by the depository.

Type: Compulsory Order  
Agency: **Department of the Treasury**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 2.1-359 through 370; Department of the Treasury Regulation 1 VAC 75-20-10 et seq.

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

## Uniform Disposition of Unclaimed Property

SFIN.TD008

The Uniform Disposition of Unclaimed Property Act requires the State Treasurer to identify, collect, and return property that has been held for specified dormancy periods to rightful owners. Local treasurers, directors of finance, clerks of court, general receivers, or any other local government entity holding property more than one year for owners who can not be located are required to report and remit this property by November 1 of each year.

Type: Compulsory Order  
Agency: **Department of Treasury**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 55-210.1 through 55-210.30

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Abandoned Real Property

SFIN.TD009

Local treasurers or other designated local officials are required to report to the appointed escheator and State Treasurer by May 31 of each year real property that appears to be abandoned on his or her records as of the end of the calendar year. The report shall be certified as to its accuracy by the commissioner of revenue or designated local official prior to the submission date. Following the auction of the property, the local treasurer or designated local official is required to request the delinquent taxes on each parcel sold. In the instance of improper escheat, the commissioner of revenue or other designated local official is required to certify this fact.

Type: Compulsory Order  
Agency: **Department of the Treasury**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 55-168 through 55-201.1

Last Assessment Period: 7-1-1999 through 9-30-1999  
Last Assessment Finding: Retain.  
Current Assessment Period:  
Comment: Not currently scheduled for reassessment.

---

## Blanket Fidelity Bond Program

SFIN.TD010

Constitutional officers, general receivers, and clerks are required to participate in the blanket fidelity bond program established and administered by the Department of the Treasury, Division of Risk Management.

Type: Compulsory Order  
Agency: **Department of the Treasury**  
Secretariat: Finance  
Authorization: Code of Virginia §§ 2.1-526.9, 2.1-526.9:1, 8.01-588.1, 15.2-1527 through 15.2-1533

Last Assessment Period: 7-1-1999 through 9-30-1999

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: This program was formerly administered by the Division of Risk Management of the Department of General Services. Action of the General Assembly (Chapter 618, 2000 Acts of Assembly) transferred the Division of Risk Management to the Department of the Treasury effective July 1, 2000. The mandate was last assessed by the Department of General Services. Not currently scheduled for reassessment.

---

## Teachers for the Visually Impaired Partial Salary Reimbursement

SHHR.DVH002

School divisions that receive a partial salary reimbursement for teachers of visually handicapped students must agree to share information with the Department for the Visually Handicapped, require teachers to participate in specific training activities, and be responsible for equipment and Braille and large print textbooks on loan from the Department.

Type: Condition of Financial Aid  
Agency: **Department for the Visually Handicapped**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 22.1-217

Last Assessment Period: 4-1-2000 through 6-30-2000

Last Assessment Finding: Alter.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.

---

## Operation of Vending Stand by Blind Person

SHHR.DVH003

Local governments must give the Department for the Visually Handicapped first priority for employment of a properly trained blind person in a position to operate a vending stand or other business enterprise in a public building, whenever such position becomes vacant or is created through construction or acquisition of new buildings.

Type: Compulsory Order  
Agency: **Department for the Visually Handicapped**  
Secretariat: Health and Human Resources  
Authorization: Code of Virginia § 63.1-155; Department for the Visually Handicapped Regulation 22 VAC 45-40-10 et seq.; 34 CFR 395 (Fed.)

Last Assessment Period: 9-1-2000 through 11-30-2000

Last Assessment Finding: Retain.

Current Assessment Period:

Comment: Not currently scheduled for reassessment.



## **Part B**

### **Mandates Administered by Nonexecutive Agencies and Mandates without State Oversight**

**Part B** lists those mandates not subject to assessment, either because they are administered by nonexecutive branch agencies or because there is no State oversight of the required action. The format for mandates listed in Part B includes the same general information as that used in Part A, but in this section references to the secretariat, assessment schedule, and findings have been omitted.

## Annual Financial Report

LEG.APA001

Local governments must submit a standardized financial report with the Auditor of Public Accounts annually. Towns having a population of fewer than 3,500 are excluded unless they maintain a separate school division.

Type: Compulsory Order  
Agency: **Auditor of Public Accounts**  
Secretariat:  
Authorization: Code of Virginia § 15.2-2510

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

---

## Annual Audit

LEG.APA002

Local governments must have an annual audit performed on all accounts and records by an independent certified public accountant. Towns having a population of less than 3,500 are excluded unless they maintain a separate school division.

Type: Compulsory Order  
Agency: **Auditor of Public Accounts**  
Secretariat:  
Authorization: Code of Virginia § 15.2-2511

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

## Employee Retirement System

IND.VRS001

Local governments with a population of 5,000 or more must provide a retirement system for eligible employees either by participating directly in the Virginia Retirement System (VRS) or by establishing a local retirement system which provides a service retirement allowance that equals or exceeds two-thirds of the service retirement allowance at age 65 or older to which the employee would have been entitled had the allowance been computed under the provisions of the VRS. Localities will forfeit Alcoholic Beverage Control profits if they fail to comply with the set standards.

Type: Compulsory Order  
Agency: **Virginia Retirement System**  
Secretariat:  
Authorization: Code of Virginia § 51.1-800

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

---

## Support for Courts and Magistrates

JUD.SUPCT001

Localities must provide quarters, equipment, furniture, and other necessary support for courts and magistrates.

Type: Compulsory Order  
Agency: **Supreme Court of Virginia**  
Secretariat:  
Authorization: Code of Virginia §§ 15.2-1656, 15.2-1638, 16.1-69.50, 16.1-69.51:1, 16.1-234, 17.1-118, 17.1-212, 17.1-241, 17.1-246, 19.2-48.1

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

## Indigent Representation

JUD.SUPCT002

Localities must provide representation for indigents charged with local offenses that might result in imprisonment.

Type: Compulsory Order  
Agency: **Supreme Court of Virginia**  
Secretariat:  
Authorization: Code of Virginia § 19.2-163

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

---

## Office Space for Constitutional Officers

JUD.SUPCT003

The governing body of each county and city is required to provide offices for the treasurer, attorney for the Commonwealth, sheriff, commissioner of revenue, commissioner of accounts, and division superintendent of schools for such county or city.

Type: Compulsory Order  
Agency: **Supreme Court of Virginia**  
Secretariat:  
Authorization: Code of Virginia § 15.2-1639

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

## Virginia Freedom of Information Act

JUD.SUPCT004

Local governments must comply with the Virginia Freedom of Information Act by providing ready public access to records in the custody of public officials and by allowing free entry to meetings of public bodies where public business is being conducted.

Type: Compulsory Order  
Agency: **Supreme Court of Virginia**  
Secretariat:  
Authorization: Code of Virginia § 2.1-340.1 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

---

## Juror Costs

JUD.SUPCT005

Localities must provide reimbursement for jurors in all civil cases and in the trial of misdemeanor cases when the defendant is charged on a local warrant or summons.

Type: Compulsory Order  
Agency: **Supreme Court of Virginia**  
Secretariat:  
Authorization: Code of Virginia § 17.1-619

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

## Virginia Alcohol Safety Action Program

IND.VASAP001

Local governments that establish a Virginia Alcohol Safety Action Program must provide assessment, education, and treatment of persons arrested and convicted of driving under the influence of alcohol or other self administered substances. Participating local governments must comply with the minimum standards and criteria for the implementation and operation of this program.

Type: Regulation of Optional Activity  
Agency: **Commission on the Virginia Alcohol Safety Action Program**  
Secretariat:  
Authorization: Code of Virginia §§ 18.2-271.1, 18.2-271.2; Virginia Alcohol Safety Action Program Regulation 24 VAC 35-20-10 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

---

## Virginia Workers' Compensation Act

IND.VWC001

Local governments must provide benefits to workers under the Virginia Workers' Compensation Act for injuries or occupational diseases that are the result of employment.

Type: Compulsory Order  
Agency: **Virginia Workers' Compensation Commission**  
Secretariat:  
Authorization: Code of Virginia § 65.2-100 et seq.; Rules of the Workers' Compensation Commission Rules 6 and 7

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

## Workers' Compensation Information

IND.VWC002

Local government officials who license employers to conduct business under Chapter 37 of Title 58.1 must provide employers requesting such licenses with information concerning the statutory workers' compensation insurance requirements. The information to be distributed by the local government officials is supplied by the Virginia Workers' Compensation Commission.

Type: Compulsory Order  
Agency: **Virginia Workers' Compensation Commission**  
Secretariat:  
Authorization: Code of Virginia § 65.2-800

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.

---

## Notification of Rights for Victim of Crime

IND.VWC003

Local law enforcement officers in counties, cities, and towns must make reasonable efforts, where practicable, to notify victims of crime of their rights by distributing notices to each victim.

Type: Compulsory Order  
Agency: **Virginia Workers' Compensation Commission**  
Secretariat:  
Authorization: Code of Virginia § 19.2-368.17

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No executive agency oversight.



## National Affordable Housing Act Program

NSO.001

Local governments that wish to receive federal funding from State housing programs through the 1990 National Affordable Housing Act must develop a five-year comprehensive housing affordability strategy.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: 24 CFR 91

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Vehicle Inspection Sticker

NSO.002

Vehicles found to be free of defects in inspections conducted by local law enforcement officers in a selected set of cities and counties who are certified to conduct such safety inspections must be issued 90-day stickers.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: Code of Virginia § 46.2-1001

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Noise Abatement

NSO.003

On nonfederal aid highway projects, the Department of Transportation will construct and maintain reasonable and feasible noise abatement measures, provided; (1) the local jurisdiction through which the project traverses agrees to assume 50 percent of the cost of the abatement measure and (2) the local jurisdiction has an ordinance requiring developers to provide noise abatement for all new residential and other noise sensitive developments adjacent to existing or approved future highway corridors.

Type: Condition of Financial Aid  
Agency: **Not applicable**  
Secretariat:  
Authorization: Department of Transportation Regulation 24 VAC 30-80-10 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Multi-County Transportation Improvement District

NSO.004

Adjoining counties wishing to create a primary highway transportation improvement district must adhere to a petition, notification, hearing, and resolution process set forth in statute. No district is allowed to be created under Code of Virginia § 15.1-1372.1 et seq. after June 30, 1993.

Type: Regulation of Optional Activity  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 15.2-4600 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Preparation of Local Plan by Licensed or Certified Professional

NSO.005

Local governments must establish a procedure to ensure that plans, specifications, or calculations prepared in connection with improvements to real property be prepared by a licensed or certified architect, professional engineer, land surveyor, or landscape architect.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 54.1-410

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Local Planning Commission

NSO.006

Local governments must create a local planning commission to promote the orderly development of the locality and its environs.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 15.2-2210

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Comprehensive Plan Adoption

NSO.007

Local governments must adopt comprehensive plans for land use development. In preparing the plan, the local planning commission shall survey and study such matters as set forth in statute. At least once every five years the comprehensive plan shall be reviewed by the local commission to determine whether it should be amended.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia §§ 15.2-2223, 15.2-2224, 15.2-2230, 15.2-2232

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Subdivision Ordinance Adoption

NSO.008

Local governments must adopt ordinances regulating the subdivision of land and its development.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 15.2-2240

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Board of Zoning Appeals

NSO.009

Local governments enacting zoning ordinances are required to establish a board of zoning appeals to hear appeals on specific sections of the ordinances that create undue hardships on the public.

Type: Regulation of Optional Activity

Agency: **Not applicable**

Secretariat:

Authorization: Code of Virginia § 15.2-2308

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Affordable Housing Promotion

NSO.010

Local governments must promote the construction and maintenance of affordable housing sufficient to meet current and future needs of residents at all levels of income in the locality.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: Code of Virginia § 15.2-2223

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Local Government Grievance Procedure Adoption

NSO.011

Local governments having more than fifteen employees are required to establish a grievance procedure that conforms to the State grievance procedure; otherwise the State's grievance procedures will apply. Local government grievance procedures must be certified as conforming, and a copy of the certification must be filed with the director of the Department of Employee Relations Counselors.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia §§ 15.2-1506, 15.2-1507

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Local Government Grievance Procedure Filing

NSO.012

Local governments are required to submit a copy of their grievance procedure to the Department of Employee Relations Counselors.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia §§ 15.2-1506, 15.2-1507

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Local Government Personnel Classification and Pay Plan

NSO.013

Local governments having more than fifteen employees must adopt a personnel classification plan for service and a uniform pay plan.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia §§ 15.2-1506

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Federal Anti-Discrimination Policy

NSO.014

Local governments must comply with federal anti-discrimination policy.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Civil Rights Act of 1964

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Constitutional Officer Personnel Benefits

NSO.015

Every county and city shall annually provide for each employee of constitutional officers at least two weeks paid vacation, at least seven paid sick days, and such holidays as are prescribed by State law. If any such employee or deputy is required to work on a legal holiday, he or she will be provided with an equal amount of paid compensatory time in the same calendar year.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 15.2-1605

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Paid Leave for Military Duty

NSO.016

Local governments must provide all officers and employees of local governments with paid leave of absence for military duty, not to exceed 15 workdays per federal fiscal year.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 44-204

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.



## Uniform Fiscal Year

NSO.017

Local governments must use a uniform fiscal year that begins on July 1 and ends on June 30. Towns having a population of less than 3,500 are excluded, but any school district they operate must use this fiscal year.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 15.2-2500

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Standards for Local Budget

NSO.018

Local governments must follow a budget process that complies with State requirements for content, form, publication, and public hearings. These requirements are optional for localities that have a charter or special law containing budget provisions.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 15.2-2503 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Virginia Public Procurement Act

NSO.019

Local governments must do their purchasing of goods and services, including professional services, in accordance with the Virginia Public Procurement Act or adopt alternative provisions based on competitive principles. Towns having a population of fewer than 3,500 are exempt from most provisions of the Act.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 11-35 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Real Estate Reassessment Notification

NSO.020

Local governments must provide notice by mail to each property owner of any reassessment of real estate, or of any change in the assessed value of any real estate.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 58.1-3330 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Contractors License Required for Building Permit

NSO.021

Local government building officials are required to ascertain that contractors hold valid State contractors licenses prior to issuing building permits.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 54.1-1111

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Community Oriented Policing Services Grant (COPS)

NSO.022

Local governments receiving Community Oriented Policing Services (COPS) grant funds must hire and train new police officers or rehire officers that have been laid off due to budgetary reductions. In addition, some grant funds will be available for activities that increase the number of officers deployed in community-oriented policing. Localities receiving funds for such activities are required to provide a 25% match.

Type: Condition of Financial Aid  
Agency: **Not applicable**  
Secretariat:  
Authorization: Violent Crime Control and Law Enforcement Act of 1994

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Family and Medical Leave

NSO.023

Local governments having more than 50 employees must provide up to 12 weeks of unpaid, job-protected leave per year, with health insurance, for the birth or adoption of a child or the serious illness of the employee or an immediate family member.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: P.L. 103-3 (Family and Medical Leave Act) (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Lobbying Disclosure

NSO.024

Local governments seeking federal funds are required to submit a lobbying disclosure form.

Type: Condition of Financial Aid  
Agency: **Not applicable**  
Secretariat:  
Authorization: P. L. 101-121 (Fed.); 15 CFR 28 (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Crosscutting requirement that applies to many or all federal assistance programs.  
Not subject to review: No State oversight.

## Homeownership and Opportunity for People Everywhere Program (HOPE)

NSO.025

Local governments receiving federal funding through the Homeownership and Opportunity for People Everywhere Programs must comply with program requirements. The program provides grants for public and Indian housing homeownership in order to expand the number of tenants in such housing who can purchase their units.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 101-625 (Title IV, Subtitle B) (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Head Start Program

NSO.026

Local governments participating in the Head Start Program must comply with certain federal program requirements. The program's objectives are to provide comprehensive health, educational, nutritional, social, and other services primarily to preschool economically disadvantaged children.

Type: Regulation of Optional Activity

Agency: **Not applicable**

Secretariat:

Authorization: P.L. 97-35 (Fed.); Omnibus Budget Reconciliation Act of 1981 (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Summer Food Service Program

NSO.027

Local governments participating in the Summer Food Service Program for children must comply with the program requirements. This provides nonprofit food service programs for needy children during the summer months and at other approved times, when area schools are closed for vacation.

Type: Regulation of Optional Activity  
Agency: **Not applicable**  
Secretariat:  
Authorization: P.L. 79-396 (Fed.); 7 CFR 225 (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Mandatory Arrest in Family Violence Cases

NSO.028

Local law enforcement officers are required to arrest the primary physical aggressor in cases of family violence, or to file reports setting out special circumstances for not making an arrest. Local police departments are required to establish arrest policy and procedures that meet minimum statutory standards.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia §§ 19.2-81.3 and 19.2-81.4

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Police Misconduct

NSO.029

Local governments with ten or more law enforcement officers are required to establish procedures allowing citizens to register complaints about police misconduct.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: Code of Virginia § 2.1-116.9:6

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Federal Labor Standards

NSO.030

Local governments receiving federal mass transit grants must follow federal labor standards.

Type: Condition of Financial Aid  
Agency: **Not applicable**  
Secretariat:  
Authorization: Federal Transit Act of 1964, as amended, § 13(c) (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Crosscutting requirement that applies to many or all federal assistance programs.  
Not subject to review: No State oversight.

## Single Audit

NSO.031

The federal Office of Management and Budget (OMB) has established specific audit requirements for local governments that receive federal financial assistance. The OMB has also defined federal government responsibilities for implementing and monitoring the requirements.

Type: Condition of Financial Aid  
Agency: **Not applicable**  
Secretariat:  
Authorization: Office of Management and Budget Circular A-128 (Fed.)

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Crosscutting requirement that applies to many or all federal assistance programs.  
Not subject to review: No State oversight.

---

## Age Discrimination Act of 1975

NSO.032

Prohibits discrimination based on age in programs receiving federal financial assistance.

Type: Condition of Financial Aid  
Agency: **Not applicable**  
Secretariat:  
Authorization: P. L. 94-135; 95-478

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.



## Age Discrimination in Employment Act Amendments of 1986

NSO.033

Prohibits mandatory retirement at age 70, with a seven-year delay in coverage for police, fire fighters, and college professors. Also, prevents discrimination on the basis of age in local government employment. These requirements were enacted as part of the amendments to the Age Discrimination in Employment Act of 1967.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 90-202; P. L. 93-259; P. L. 99-592

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Architectural Barriers Act

NSO.034

Requires federally funded buildings, facilities, and public conveyances to be accessible to the physically handicapped.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 90-480

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## **Base Closure and Community Redevelopment Act of 1994**

NSO.035

Requires local governments to submit to the U. S. Department of Housing and Urban Development their plans for reuse of closed military bases which balances the needs of the homeless against the economic and redevelopment needs of the community.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 103-421

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## **Cable Communications Policy Act of 1984**

NSO.036

Preemption of local regulation of basic cable rates by the Federal Communications Commission.

Type: Regulation of Optional Activity

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 98-549

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Child Nutrition Act of 1966

NSO.037

Prohibits local sales taxes on food purchases made with funds from the Special Supplemental Nutrition Program for Women, Infants, and Children.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 99-591

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Civil Rights Act of 1964

NSO.038

Prohibits employment discrimination against any person under any local program or activity receiving federal financial assistance.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 88-352; P. L. 90-202; P. L. 92-318; P. L. 97-424

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Civil Rights Act of 1968

NSO.039

Prohibits discrimination against any person in the sale or rental of federally assisted housing.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 90-284

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Civil Rights Restoration Act of 1987

NSO.040

Expands institutional coverage of laws prohibiting racial, gender, handicapped, and age discrimination by recipients of federal assistance.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 100-259

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Clean Air Act

NSO.041

Requires local governments to participate in state plans to implement regulations and statutes governing air emissions from stationary and mobile sources. For those localities in non-attainment areas the statute requires that a number of corrective activities be undertaken.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: P. L. 91-604; P. L. 95-95

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Clean Water Act

NSO.042

Requires local government facilities discharging into public water to meet certain regulations. Those regulations also set standards for improving and maintaining water quality and requires permitting of point source discharges.

Type: Regulation of Optional Activity  
Agency: **Not applicable**  
Secretariat:  
Authorization: P. L. 92-500; P. L. 95-217; P. L. 96-88; P. L. 100-1

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## **Consolidated Omnibus Budget Reconciliation Act of 1985**

NSO.043

Extends Medicare hospital insurance taxes and coverage to all new local government employees.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: P. L. 99-509

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## **Davis-Bacon Act**

NSO.044

Requires that locally prevailing wages are paid to construction workers employed under federal contracts and assistance programs.

Type: Condition of Financial Aid  
Agency: **Not applicable**  
Secretariat:  
Authorization: P. L. 74-403

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Drug-Free Schools and Community Act

NSO.045

Requires school divisions receiving federal funds to adopt a school drug-free policy.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 101-226

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Drug-Free Workplace Act of 1988

NSO.046

Requires certification by all federal grantees and contractors of a drug-free workplace and creation of employee awareness, sanctions, and treatment programs.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 100-690

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Education Amendments of 1972

NSO.047

Prohibits discrimination on the basis of sex in federally assisted education programs.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 92-318

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Individuals with Disabilities Education Act

NSO.048

Provides a free appropriate education to all children with disabilities.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: 20 USC 1400 et seq.

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.



## Endangered Species Act of 1973

NSO.049

Provides for the conservation, protection, restoration, and propagation of species of fish, wildlife, and plants facing extinction. Various federal agencies work to implement the Act by monitoring potential destruction of natural habitats by local government construction projects. This mandate was amended further by the Endangered Species Act of 1982 (P. L. 97-304).

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 93-205

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Equal Access Act

NSO.050

Requires public secondary schools to allow student religious groups to meet at the school under certain conditions.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 98-377

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Equal Employment Opportunity Act of 1972

NSO.051

Prohibits discrimination on the basis of race, color, religion, sex, or national origin in local government employment.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 92-261

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Fair Housing Act Amendments of 1988

NSO.052

Prohibits discrimination in housing and extends *Civil Rights Act of 1968* to cover the handicapped and families with children.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 100-430

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## **Fair Labor Standards Act Amendments of 1974**

NSO.053

Extends federal minimum wage and overtime pay protection to local government employees.

Type: Compulsory Order  
Agency: **Not applicable**  
Secretariat:  
Authorization: P. L. 75-718; 93-259

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## **Federal Water Pollution Control Act**

NSO.054

Requires local governments undertaking construction projects which necessitate the dredging and filling of wetlands and land adjacent to other water bodies to obtain a permit from the U. S. Army Corps of Engineers. Also establishes federal effluent limitations to control the discharge of pollutants from public treatment facilities.

Type: Regulation of Optional Activity  
Agency: **Not applicable**  
Secretariat:  
Authorization: P. L. 92-500; P. L. 95-217; P. L. 100-4

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Flood Disaster Protection Act of 1973

NSO.055

Requires local governments to participate in the National Flood Insurance Program and to adopt land use regulations for their flood plain which meet the federal criteria before federal assistance can be granted for the acquisition or construction of property in identified flood hazard areas.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 93-234

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Food Stamp Act of 1977

NSO.056

Prohibits local sales taxes on purchases made with Food Stamps.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 99-198

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## **Housing and Community Development Act of 1974**

NSO.057

Prohibits discrimination based on race, color, national origin, sex, age, or handicap.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 97-35

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## **ICC Termination Act of 1995**

NSO.058

Prohibits local governments from discriminating against railroads when imposing local taxes.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 104-88

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Immigration Reform and Control Act of 1986

NSO.059

Requires local governments to use the Systematic Alien Verification for Entitlement (SAVE) program to verify the immigration status of alien applicants for certain state administered federal programs. Local government employers are also prohibited from discrimination against job applicants on the basis of their national origin or citizenship status.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 99-603

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Juvenile Justice and Delinquency Prevention Act of 1974

NSO.060

Requires local governments to provide separate facilities for juveniles in detention centers that hold both juveniles and adults.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 102-586

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Lead Containment Control Act of 1988

NSO.061

Requires local and private nonprofit elementary and secondary school and day care centers to test drinking water coolers to test and remedy lead contamination problems. This requirement is a component of the Safe Drinking Water Act Amendments.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 100-572

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Multiethnic Placement Act

NSO.062

Prohibits an agency or entity that receives federal assistance and is involved in adoptive or foster care placements from delaying or denying the placement of a child solely on the basis of race, color, or national origin of the adoptive or foster parent or parents involved.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 103-382

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## National Apprenticeship Act of 1937

NSO.063

Requires local governments offering apprenticeship related programs registered with the U. S. Department of Labor to comply with equal opportunity and affirmative action regulations.

Type: Regulation of Optional Activity

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 75-308

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## National Environmental Policy Act of 1969

NSO.064

Local governments undertaking construction projects using federal funds may be required to prepare an environmental impact statement.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 91-190; 94-52; 94-83

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.



## National Historic Preservation Act of 1966

NSO.065

Requires local governments undertaking projects with federal funds to take into account the effect such actions might have on properties listed or eligible for listing on the National Register of Historic Places.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 89-665

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Ocean Dumping Ban Act

NSO.066

Prohibits ocean dumping of sludge from local government sewage treatment facilities.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 100-688

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Older Worker's Benefit Protection Act

NSO.067

Requires public employee benefit programs to be adjusted in order to provide equal benefits to older and younger workers.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 101-433

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Omnibus Budget Reconciliation Act of 1990

NSO.068

Requires mandatory Social Security coverage to all local government employees not otherwise covered by a public employee retirement system.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 101-508

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Public Health Service Act

NSO.069

Requires local governments to expand community health services to the mentally ill, drug users, substance abusers, pregnant women, and other persons enumerated in the Act.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 102-321

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Rehabilitation Act of 1973

NSO.070

Prohibits discrimination on the basis of physical or mental handicap in federally assisted programs.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 93-112

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Residential Lead-Based Paint Hazard Reduction Act of 1992

NSO.071

Requires local governments responsible for federally assisted housing to assess, inspect, reduce, or abate lead hazards in such housing. This requirement is found in Title X of the Housing and Community Development Act of 1992.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 102-550

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Social Security Amendments of 1983

NSO.072

Prohibits local governments from withdrawing from Social Security coverage, and accelerates scheduled increases in payroll taxes and payment of payroll taxes by local governments.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 98-21

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## **Soldiers' and Sailors' Civil Relief Act Amendments of 1991**

NSO.073

Requires local governments to reemploy veterans returning from leave of absence at the seniority and rate of pay commensurate with continuous service.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 101-353

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## **Stewart B. McKinney Homeless Assistance Act**

NSO.074

Requires local governments to provide community mental health services for the homeless.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 100-77

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Tax Reform Act of 1986

NSO.075

Requires issuers of tax-exempt bonds (e.g., local governments) to rebate excess arbitrage profits to the United States. Requires that an information statement, Form 8038, be filed with the Internal Revenue Service for all governmental bond issues.

Type: Regulation of Optional Activity

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 99-514

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Uniform Relocation and Real Properties Acquisition Policies Act of 1970

NSO.076

Establishes federal policies and reimbursement procedures for property acquisition under federally assisted programs.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 91-646

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Urban Mass Transportation Act of 1964

NSO.077

Requires local governments receiving loans or grants for urban mass transportation systems to comply with the standards of the Davis-Bacon Act.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 88-365

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Voting Rights Language Assistance Act

NSO.078

Requires local governments to provide bilingual assistance to voters if a locality has more than 10,000 citizens who share a minority or if more than 5% of the voting-age citizens are members of a language minority.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 89-110; 97-205; 102-344

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

## Water Quality Act of 1987

NSO.079

Requires local governments to comply with requirements for identifying and controlling nonpoint pollution. Establishes new requirements for testing and permitting discharges from storm sewers owned by local governments. Directs the Environmental Protection Agency to develop regulations governing toxic wastes in sewage sludge.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 100-4

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

---

## Water Resources Development Act of 1986

NSO.080

Requires local governments that participate in federal water resources projects to share the costs of such projects.

Type: Condition of Financial Aid

Agency: **Not applicable**

Secretariat:

Authorization: Water Resources Development Act of 1986

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.



## **Health Insurance Portability and Accountability Act of 1996**

NSO.081

Requires local governments to provide documentation of prior health coverage to persons leaving their employ. Further, local governments employing persons possessing documentation of prior health coverage must credit such coverage against the preexisting health condition requirements of their health care plans.

Type: Compulsory Order

Agency: **Not applicable**

Secretariat:

Authorization: P. L. 104-191

Last Assessment Period:

Last Assessment Finding:

Current Assessment Period:

Comment: Not subject to review: No State oversight.

**This page intentionally left blank.**

## **Appendices**

## Catalog of State and Federal Mandates on Local Governments—2001

## **Appendix A**

### **Executive Memorandum 1-98**

#### **Establishment of Schedule and Format for Agency Assessment of Mandates on Local Government**

## Catalog of State and Federal Mandates on Local Governments—2001

---

# COMMONWEALTH OF VIRGINIA



## OFFICE OF THE GOVERNOR

### Executive Memorandum 1-98

---

## Establishment of Schedule and Format for Agency Assessment of Mandates on Local Government

### Purpose

To establish a process, pursuant to the provisions of Section 2.1-7.1 and Section 15.2-2903(6) of the Code of Virginia, by which the executive agencies of the Commonwealth shall critically assess and periodically reassess all the state and/or federal mandates which they administer for the purpose of determining which mandates, if any, may be altered or eliminated without interruption of local service delivery and without undue threat to the health, safety, and welfare of the residents of Virginia.

### Mandates Defined

- (a) For purposes of implementing Section 15.2-2903(6) of the Code of Virginia, a mandate shall be defined as a constitutional, statutory, or administrative measure or action that places a requirement on local governments.
- (b) Mandates placing requirements on local governments shall be classified as compulsory orders, conditions of financial aid, or the regulation of optional activities. These classifications shall be defined as follows:
  - (i) Compulsory Orders are measures or actions that impose requirements with which localities must comply in the performance of their prescribed responsibilities.
  - (ii) Conditions of Financial Aid are requirements, which are imposed as a condition of receiving state and/or federal financial aid.

- (iii) Regulation of Optional Activities are measures which impose state and/or federal government requirements relative to the performance of activities that are not mandated but are subject to such regulations if performed.

## **Requirements**

### **1. Assessment of Current Mandates**

The executive agencies of the Commonwealth shall assess all local government mandates, which they currently administer, as determined by the Commission on Local Government and specified in the most recent edition of the *Catalog of State and Federal Mandates on Local Governments*, as follows:

- (a) All assessments performed by agencies pursuant to Section 2.1-7.1 and Section 15.2-2903(6) of the Code of Virginia shall be conducted consistent with the standardized assessment form appended to this Memorandum.
- (b) Agencies shall solicit in the conduct of each assessment evaluative comment from affected local governments on the mandate in question and shall report and respond to such comment as they deem appropriate in their assessment statements.
- (c) Agencies shall complete the assessment of all mandates within the scheduled assessment period established by the Commission pursuant to the provisions of this Memorandum.
- (d) Agencies shall submit their assessments with recommendations to the appropriate Cabinet Secretary for endorsement or amendment.
- (e) Agency assessments and Secretary review shall be initiated, conducted, and completed within the scheduled assessment period.
- (f) Completed assessments, signed by the Agency Head and approved by the Cabinet Secretary, shall be submitted by the agency to the Commission on Local Government no later than the terminal date of the scheduled assessment period.



- (g) The Commission on Local Government shall distribute copies of all completed assessments received from state agencies to the Governor, the Secretary of Administration, the Clerks of the House of Delegates and Senate, the Virginia Association of Counties (VACo), the Virginia Municipal League (VML), and to other interested parties upon request.
2. Annual Specification of Scheduled Assessment Period
- (a) Agencies shall submit to the Commission on Local Government by October 15 of each year a proposed schedule establishing specific dates for the assessment period for new or newly identified mandates, as specified in Section 4 of this Memorandum, or for the reassessment of existing mandates as may be appropriate pursuant to Section 5 of this Memorandum.
  - (b) The Commission on Local Government shall, in November of each year, adopt the schedule for assessment periods proposed by the agencies unless in its judgment substantial reason exists for modification.
  - (c) The Commission on Local Government shall submit to the Secretary of Administration and the Governor for their review and approval the schedule, which it has adopted in December of each year.
  - (d) Subsequent to the approval of the schedule of assessment periods by the Secretary of Administration and the Governor, the Commission shall forward copies of the adopted schedule to the affected agencies.
  - (e) The Commission on Local Government shall file with the Clerks of the House of Delegates and the Senate copies of all scheduled mandates assessment periods and any modifications thereof following their approval by the Secretary of Administration and the Governor. The Commission shall also file copies of the schedule and any modifications with VACo, VML, and with the Registrar of Regulations for appropriate publication in The Virginia Register.

3. Modification of Scheduled Assessment Period

- (a) With due notice and sufficient cause, approved agency assessment periods may be subsequently modified by the Commission upon request of the administering agency, affected local governments, VACo, VML, or upon its own initiative.
- (b) All modifications in agency assessment periods approved by the Commission shall be subject to the concurrence of the Secretary of Administration.

4. New and Newly Identified Mandates

- (a) Each year the Commission on Local Government shall endeavor to identify for inclusion in the subsequent annual catalog of state and federal mandates, as prescribed by Section 15.2-2903(7) of the Code of Virginia, all local government mandates not previously cataloged.
- (b) Executive agencies are directed to assist the Commission on Local Government in identifying new mandates, which they will administer and any currently administered mandates not previously identified.
- (c) Executive agencies administering such mandates shall be responsible for their assessment consistent with relevant sections of this Memorandum.
- (d) No mandate shall be subject to assessment by any agency until it has been in effect for a minimum of 24 months.

5. Reassessment of Mandates

- (a) Pursuant to Section 15.2-2903(6) of the Code of Virginia, the Commission on Local Government shall at its discretion, after consultation with the affected agencies, periodically call for scheduling the reassessment of mandates.
- (b) No mandate shall be subject to assessment more than once in any four-year period unless it has been subject to modification so substantial as to have created, in essence, a new mandate.

- (c) All reassessments shall be scheduled and conducted consistent with relevant sections of this Memorandum.

**Effective Date**

This Executive Memorandum supercedes Executive Memorandum 5-94 issued by Governor Allen on April 22, 1994. It shall become effective on October 13, 1998, and shall remain in force and effect until superseded or rescinded by further Executive Memorandum or by Executive Order.

A handwritten signature in black ink, reading "James S. Gilmore". The signature is fluid and cursive, with a large, sweeping initial "J" and a stylized "G".

James S. Gilmore  
October 29, 1998



**Executive Memorandum 1-98**

**This page intentionally left blank.**



**E. Fiscal Impact of Mandate on Localities:**

**1. Localities Affected:**

**2. Funding of Mandate:**

**a) Funding Formula:**

(Indicate separately both State and federal contributions to cost of mandate in dollar amount and as a percentage of total cost of implementation.)

**b) Estimated Range of Costs to Localities:**

(Give the range of costs of compliance for localities and indicate specific factors affecting local impact.)

**c) Explanation of Estimation Methodology:**

**F. Effectiveness of Mandate in Accomplishing Purpose:**

**1. General Purpose of Mandate:**

(Explain briefly the overall objective this mandate is intended to accomplish.)

**2. Description of Essentiality to the Public Safety:**

(Describe the manner and the extent to which the mandate has protected and/or improved the health, safety, and welfare of residents of the Commonwealth. Describe the essential public purpose that this mandate accomplishes.)

**G. Alternative Approaches to Achieving Purpose of Mandate:**

**1. Identification of Alternative Approaches:**

**2. Fiscal Impact of Alternative Approaches:**

**a) Estimated Change in Range of Costs to Localities of Alternative Approaches:**

(Give the anticipated change in range of costs of compliance for localities and indicate specific factors affecting the variation in local impact.)

b) Estimated Change in Range of Costs to State of Alternative Approaches:

c) Explanation of Estimation Methodologies:

**H. Agency Recommendation re Retention, Alteration, or Elimination of Mandate:**

**1. Determination by Agency:**

(The agency should recommend "Retain" if it believes the statutes and/or regulations authorizing this program should be retained in their present form. Alternately, the agency should recommend "Alter" or "Eliminate" if it believes the statutes and/or regulations authorizing this program should be altered or eliminated by legislative and/or regulatory action. In any case, please give the rationale for agency recommendation in Section H. 2 below.)

**2. Rationale:**

**I. Agency Contact re Assessment:**

**1. Name/Title:**

**2. Address/Telephone:**

\_\_\_\_\_  
(Signature of Agency Head)

**Approval of Assessment:**

\_\_\_\_\_  
(Signature of Cabinet Secretary)

**This page intentionally left blank.**



## **Appendix B**

### **Changes in Mandates Since Issuance of the 1999 Catalog of State and Federal Mandates on Local Governments\***

\*See Footnote 2, Page 21.

**Appendix B: Changes in Mandates Since Issuance of the 1999 Catalog of State and Federal Mandates on Local Governments\***

Appendix B offers a condensed listing, for ease of reference, of new mandates on local governments, newly identified mandates not previously reported, significantly modified (expanded) existing mandates, mandates that have been eliminated, and other changes reflected in this 2000 edition of the catalog.

Except those mandates that were eliminated since the publication of the 1999 catalog, each mandate identified in this section has a complete entry in the body of the catalog. Mandates listed in Appendix B are grouped according to administering agency with the citations containing the short title, identification number, and the number of the page in the catalog on which the relevant entry is found.

\*See Footnote 2, Page 21.

Catalog of State and Federal Mandates on Local Governments—2001

**Changes in Mandates  
Since the Publication of the 1999 Edition of the Catalog\***

\*See Footnote 2, Page 21.

<b>NEW MANDATES</b>	<u>Code Number</u>	<u>Page Number</u>
<u>Criminal Justice Services, Department of</u>		
Rural Domestic Violence Grants	SPS.DCJS024	65
<u>Education, Department of</u>		
Asthma Medication Policy	SOE.DOE112	117
Student Searches	SOE.DOE113	118
<u>Employment Commission, Virginia</u>		
Virginia Workforce Development Program	SCT.VEC002	124
<u>Environmental Quality, Department of</u>		
Landfill Closure	SNR.DEQ032	137
<u>Forestry, Department of</u>		
Tree Planting for Virginia's Communities	SCT.DOF006	141
<u>Housing and Community Development, Department of</u>		
Housing Revitalization Fund Grants	SCT.DHCD013	163
Live In Our Community Police Housing Program	SCT.DHCD014	164
Industrial Site Development Fund	SCT.DHCD015	164
<u>Social Services, Department of</u>		
Annual Reports by Guardians	SHHR.DSS067	219
<u>Technology Planning, Department of</u>		
Internet Privacy Policy	SOTECH.DTP002	230

## Catalog of State and Federal Mandates on Local Governments—2001

### **NEWLY IDENTIFIED MANDATES**

#### Conservation and Recreation, Department of

Federal Clean Water Act Section 319 - Nonpoint Source Pollution Control Grant	SNR.DCR011	51
Virginia Land Conservation Foundation Grants	SNR.DCR012	52

#### Criminal Justice Services, Department of

Sexual Assault Services Grant	SPS.DCJS025	65
-------------------------------	-------------	----

#### Education, Department of

Evaluation of Superintendent	SOE.DOE111	117
------------------------------	------------	-----

#### Environmental Quality, Department of

Exceptional Waters Notification	SNR.DEQ033	138
---------------------------------	------------	-----

#### Health, Department of

Emergency Medical Services Funds Report	SHHR.VDH025	156
Rescue Squad Assistance Fund	SHHR.VDH026	157
Variances and Exemptions for Rescue Squads	SHHR.VDH027	157

### **EXPANDED MANDATES**

#### Education, Department of

School Board Employee Fingerprinting and Criminal History Records	SOE.DOE006	68
Management of Student Scholastic Records	SOE.DOE013	71
Suspension, Expulsion, and Exclusion of Pupils	SOE.DOE097	110
Remediation Programs Evaluation and Reporting	SOE.DOE107	115

#### Housing and Community Development, Department of

Derelict Structures Fund	SCT.DHCD012	163
--------------------------	-------------	-----

#### Social Services, Department of

Adoption and Other Services	SHHR.DSS033	204
-----------------------------	-------------	-----

## Catalog of State and Federal Mandates on Local Governments—2001

### **ELIMINATED MANDATES**

#### Corrections, Department of

Work Release Inmate Supervision (SPS.DOC003): Board of Corrections action repealed these standards effective in 1995. Not previously reported.

#### Education, Department of

Admission of Non-Domiciled and Non-School-Age Students (SOE.DOE029): Action of the 1999 General Assembly (Chapters 465 and 988) made this requirement a part of the Provision of Free Education (SOE.DOE022) mandate. Not previously reported.

#### Environmental Quality, Department of

Waste Load Certification (SNR.DEQ030): Federal District Court action invalidated this requirement.

#### Governor's Employment and Training Department

Job Training Partnership Act (SHHR.GETD001): Action of the 1999 General Assembly (cc. 840, 855) created the Virginia Workforce Development Program (SCT.VEC002) which replaced this program effective July 1, 2000.

Private Industry Council Appointment (SHHR.GETD002): Action of the 1999 General Assembly (cc. 840, 855) created the Virginia Workforce Development Program (SCT.VEC002) elements of which replaced this program effective July 1, 2000.

#### Social Services, Department of

Job Opportunities and Basic Skills (JOBS) Training Program (SHHR.DSS044): The Personal Responsibility Work Opportunities Reconciliation Act of 1996 (federal Public Law 104-193) eliminated this program. Not previously reported.

#### Transportation, Department of

Conversion to Metric System (STO.VDOT019): Amendments to federal and State law have eliminated this requirement. Not previously reported.

Compatible Bridge Management System (STO.VDOT021): Amendment to federal law allows the State to elect not to implement this requirement. State policy discourages local bridge management systems. Not previously reported.

## Catalog of State and Federal Mandates on Local Governments—2001

### **OTHER CHANGES**

#### Education, Department of

School Uniforms (SOE.DOE087) has been removed from the catalog. This program has been deemed not a mandate on local government.

Sight and Hearing of Pupil to be Tested (SOE.DOE088) is now known as Identification of Children with Disabilities.

Title 1 Programs (SOE.DOE101) is now known as Improving Basic Programs (ESEA).

#### Emergency Management, Department of

This agency's name was formerly the Department of Emergency Services. Abstracts formerly coded SPS.VDES### are now coded SPS.VDEM###.

#### Emergency Services, Department of

This agency's name is now the Department of Emergency Management. Abstracts formerly coded SPS.VDES### are now coded SPS.VDEM###.

#### Environmental Quality, Department of

Sewage Sludge Permit (SNR.DEQ026) has been combined with Virginia Pollution Abatement Permit (SNR.DEQ022). Abstract SNR.DEQ026 has been removed from the catalog.

#### General Services, Department of

Blanket Fidelity Bond Program formerly administered by the Department of General Services and coded SOA.DGS003 is now administered by the Department of the Treasury and coded SFIN.TD010.

#### Human Resource Management, Department of

This agency's name was formerly the Department of Personnel and Training. The abstract formerly coded SOA.DPT001 is now coded SOA.DHRM001.

#### Personnel and Training, Department of

This agency's name is now Department of Human Resource Management. The abstract formerly coded SOA.DPT001 is now coded SOA.DHRM001.

#### Treasury, Department of the

Blanket Fidelity Bond Program formerly administered by the Department of General Services and coded SOA.DGS003 is now administered by the Department of the Treasury and coded SFIN.TD010.

## **Appendix C**

### **Principal Federal Mandates Affecting Virginia Localities**

## **Appendix C: Principal Federal Mandates Affecting Virginia Localities**

Appendix C provides a separate listing, for convenient reference and added comment, of the principal federal mandates that affect localities in Virginia. Whereas Parts A and B of this catalog include State mandates, federal mandates, and mandates based on both State and federal sources of authority, this section lists only federal mandates. The source of authority for a particular mandate may seem inconsequential from the standpoint of a locality endeavoring to comply with numerous intergovernmental mandates, but distinguishing between federal and State mandates is important, since it is the first step in determining accountability. However, federal mandates on local governments can be difficult to identify.

First, although the federal government may impose mandates on local governments directly (e.g., the Americans with Disabilities Act), it may also do so indirectly. For example, it may require the State to impose certain mandates on localities, to be administered according to federal guidelines by State agencies as pass-through mandates (e.g., Temporary Assistance to Needy Families Program). The federal government may also require the State to administer certain programs according to State regulations, provided the State adopts the federal standards or more stringent standards of its own (e.g., the Clean Water Act). Similarly, some federal mandates direct the State to meet the requirements of one program or risk termination or reduction of assistance in another program (e.g., the Urban Mass Transportation Act of 1964). In each of these cases, an essentially federal mandate is ultimately implemented on the basis of both federal and State law.

Second, federal mandates often operate differently from State-imposed actions, and with different effects. For example, unlike State grants, federal grants to localities often include not only individual program requirements but also a variety of unrelated national policy requirements affecting civil rights, environmental protection, occupational health and safety, fair employment standards, and the like. The merit of such policies aside, compliance with these additional “cross-cutting” mandates may increase a locality’s administrative burdens and costs, as well as the opportunity costs of subordinated local priorities. Yet the federal nature of these grants-in-aid may not be apparent, if the grant programs or the associated cross-cutting mandates are administered by State agencies.

Examples of all of these types of federal mandates are found in Parts A and B of this catalog with full entries. The list provided in Appendix C, while not an exhaustive inventory of all federal mandates that affect localities, serves to identify the principal ones. Entries in this section include a short title, a brief description, and source of authority.



**Short Title:** **Age Discrimination Act of 1975**

**Description:** Prohibits discrimination based on age in programs receiving federal financial assistance.

**Authorization:** P. L. 94-135; 95-478

**Comment:**

---

**Short Title:** **Age Discrimination in Employment Act Amendments of 1986**

**Description:** Prohibits mandatory retirement at age 70, with a seven-year delay in coverage for police, fire fighters, and college professors. Also, prevents discrimination on the basis of age in local government employment. These requirements were enacted as part of the amendments to the Age Discrimination in Employment Act of 1967.

**Authorization:** P. L. 90-202; P. L. 93-259; P. L. 99-592

**Comment:**

---

**Short Title:** **Americans With Disabilities Act**

**Description:** Prohibits discrimination on the basis of disability in local government employment and services. Requires that local governments not discriminate against people with disabilities in the operation of public transportation programs. Buildings and facilities constructed or altered by state or local governments are required to be designed in compliance with federal standards to ensure that they are accessible and usable by people with disabilities.

**Authorization:** P. L. 101-336

**Comment:**

---

**Short Title:** **Architectural Barriers Act**

**Description:** Requires federally funded buildings, facilities, and public conveyances to be accessible to the physically handicapped.

**Authorization:** P. L. 90-480

**Comment:**

---

**Short Title:** **Asbestos Hazard Emergency Response Act of 1986**

**Description:** Requires all schools to conduct inspections for asbestos-containing materials and develop management plans. Schools must implement their management plans within two years and eight months. States must review and approve local management plans. Also establishes requirements for handling asbestos-containing materials in properties or buildings undergoing rehabilitation or demolition.

**Authorization:** P. L. 99-519

**Comment:**

---

**Short Title:** **Base Closure and Community Redevelopment Act of 1994**

**Description:** Requires local governments to submit to the U. S. Department of Housing and Urban Development their plans for reuse of closed military bases which balances the needs of the homeless against the economic and redevelopment needs of the community.

**Authorization:** P. L. 103-421

**Comment:**

---

**Short Title:** **Cable Communications Policy Act of 1984**

**Description:** Preemption of local regulation of basic cable rates by the Federal Communications Commission.

**Authorization:** P. L. 98-549

**Comment:**

---

**Short Title:** **Child Nutrition Act of 1966**

**Description:** Prohibits local sales taxes on food purchases made with funds from the Special Supplemental Nutrition Program for Women, Infants, and Children.

**Authorization:** P. L. 99-591

**Comment:**

---

**Short Title:** **Civil Rights Act of 1964**

**Description:** Prohibits employment discrimination against any person under any local program or activity receiving federal financial assistance.

**Authorization:** P. L. 88-352; P. L. 90-202; P. L. 92-318; P. L. 97-424

**Comment:**

---

**Short Title:** **Civil Rights Act of 1968**

**Description:** Prohibits discrimination against any person in the sale or rental of federally assisted housing.

**Authorization:** P. L. 90-284

**Comment:**

---

**Short Title:** **Civil Rights Restoration Act of 1987**

**Description:** Expands institutional coverage of laws prohibiting racial, gender, handicapped, and age discrimination by recipients of federal assistance.

**Authorization:** P. L. 100-259

**Comment:**

---

**Short Title:** **Clean Air Act**

**Description:** Requires local governments to participate in state plans to implement regulations and statutes governing air emissions from stationary and mobile sources. For those localities in non-attainment areas the statute requires that a number of corrective activities be undertaken.

**Authorization:** P. L. 91-604; P. L. 95-95

**Comment:**

---

**Short Title:** **Clean Air Act Amendments of 1990**

**Description:** Imposes strict new deadlines and requirements dealing with urban smog, municipal incinerators and power plants and toxic emissions; enacted new programs to control acid rain.

**Authorization:** P. L. 101-549

**Comment:**

---

**Short Title:** **Clean Water Act**

**Description:** Requires local government facilities discharging into public water to meet certain regulations. Those regulations also set standards for improving and maintaining water quality and requires permitting of point source discharges.

**Authorization:** P. L. 92-500; P. L. 95-217; P. L. 96-88; P. L. 100-1

**Comment:**

---

**Short Title:** **Comprehensive Environmental Response Compensation and Liability Act**

**Description:** Requires local governments to identify hazardous substances they use; to notify potentially affected parties; to make plans for dealing with spills, pollution, and abandoned hazardous waste disposal sites; and to clean up contamination.

**Authorization:** P. L. 99-499

**Comment:**

---

**Short Title:** **Consolidated Omnibus Budget Reconciliation Act of 1985**

**Description:** Extends Medicare hospital insurance taxes and coverage to all new local government employees.

**Authorization:** P. L. 99-509

**Comment:**

---

**Short Title:** **Davis-Bacon Act**

**Description:** Requires that locally prevailing wages are paid to construction workers employed under federal contracts and assistance programs.

**Authorization:** P. L. 74-403

**Comment:**

---

**Short Title:** **Drug-Free Schools and Community Act**

**Description:** Requires school divisions receiving federal funds to adopt a school drug-free policy.

**Authorization:** P. L. 101-226

**Comment:**

---

**Short Title:** **Drug-Free Workplace Act of 1988**

**Description:** Requires certification by all federal grantees and contractors of a drug-free workplace and creation of employee awareness, sanctions, and treatment programs.

**Authorization:** P. L. 100-690

**Comment:**

---

**Short Title:** **Education Amendments of 1972**

**Description:** Prohibits discrimination on the basis of sex in federally assisted education programs.

**Authorization:** P. L. 92-318

**Comment:**

---

**Short Title:** **Individuals with Disabilities Education Act**

**Description:** Provides a free appropriate education to all children with disabilities

**Authorization:** 20 USC 1400 et seq.

**Comment:**

---

**Short Title:** **Emergency Planning and Community Right-to-Know Act of 1986**

**Description:** Establishes community right-to-know programs requiring local notification of potential hazards and dissemination of information to public; expands local emergency response planning. This requirement was enacted as an amendment to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Superfund).

**Authorization:** P. L. 99-499

**Comment:**

---

**Short Title:** **Endangered Species Act of 1973**

**Description:** Provides for the conservation, protection, restoration, and propagation of species of fish, wildlife, and plants facing extinction. Various federal agencies work to implement the Act by monitoring potential destruction of natural habitats by local government construction projects. This mandate was amended further by the Endangered Species Act of 1982 (P. L. 97-304).

**Authorization:** P. L. 93-205

**Comment:**

---

**Short Title:** **Equal Access Act**

**Description:** Requires public secondary schools to allow student religious groups to meet at the school under certain conditions.

**Authorization:** P. L. 98-377

**Comment:**

---

**Short Title:** **Equal Employment Opportunity Act of 1972**

**Description:** Prohibits discrimination on the basis of race, color, religion, sex, or national origin in local government employment.

**Authorization:** P. L. 92-261

**Comment:**

---

**Short Title:** **Fair Housing Act Amendments of 1988**

**Description:** Prohibits discrimination in housing and extends *Civil Rights Act of 1968* to cover the handicapped and families with children.

**Authorization:** P. L. 100-430

**Comment:**

---

**Short Title:** **Fair Labor Standards Act Amendments of 1974**

**Description:** Extends federal minimum wage and overtime pay protection to local government employees.

**Authorization:** P. L. 75-718; 93-259

**Comment:**

---

**Short Title:** **Family and Medical Leave Act**

**Description:** Requires local governments having more than 50 employees to provide up to 12 weeks of unpaid, job-protected leave per year, with health insurance, for the birth or adoption of a child or the serious illness of the employee or an immediate family member.

**Authorization:** P. L. 103-3

**Comment:**

---

**Short Title:** **Family Educational Rights and Privacy Act of 1974**

**Description:** Requires local school division to provide student and parental access to educational records while restricting access by others.

**Authorization:** P. L. 93-380

**Comment:**

---

**Short Title:** **Federal Water Pollution Control Act**

**Description:** Requires local governments undertaking construction projects which necessitate the dredging and filling of wetlands and land adjacent to other water bodies to obtain a permit from the U. S. Army Corps of Engineers. Also establishes federal effluent limitations to control the discharge of pollutants from public treatment facilities.

**Authorization:** P. L. 92-500; P. L. 95-217; P. L. 100-4

**Comment:**

---

**Short Title:** **Flood Disaster Protection Act of 1973**

**Description:** Requires local governments to participate in the National Flood Insurance Program and to adopt land use regulations for their flood plain which meet the federal criteria before federal assistance can be granted for the acquisition or construction of property in identified flood hazard areas.

**Authorization:** P. L. 93-234

**Comment:**

---

**Short Title:** **Food Stamp Act of 1977**

**Description:** Prohibits local sales taxes on purchases made with Food Stamps.

**Authorization:** P. L. 99-198

**Comment:**

---

**Short Title:** **Health Insurance Portability and Accountability Act of 1996**

**Description:** Requires local governments to provide documentation of prior health coverage to persons leaving their employ. Further, local governments employing persons possessing documentation of prior health coverage must credit such coverage against the preexisting health condition requirements of their health care plans.

**Authorization:** P. L. 104-191

**Comment:**

---

**Short Title:** **Housing and Community Development Act of 1974**

**Description:** Prohibits discrimination based on race, color, national origin, sex, age, or handicap.

**Authorization:** P. L. 97-35

**Comment:**

---

**Short Title:** **ICC Termination Act of 1995**

**Description:** Prohibits local governments from discriminating against railroads when imposing local taxes.

**Authorization:** P. L. 104-88

**Comment:**

---

**Short Title:** **Immigration Reform and Control Act of 1986**

**Description:** Requires local governments to use the Systematic Alien Verification for Entitlement (SAVE) program to verify the immigration status of alien applicants for certain state administered federal programs. Local government employers are also prohibited from discrimination against job applicants on the basis of their national origin or citizenship status.

**Authorization:** P. L. 99-603

**Comment:**

---

**Short Title:** **Job Training Partnership Act**

**Description:** Requires local governments participating in the Job Training Partnership Act via a private industry council to comply with the regulations governing this act, such as submitting annual job training plans and meeting job training performance standards. In addition, discrimination in the provision of services under this Act is prohibited.

**Authorization:** P. L. 97-300

**Comment:**

---

**Short Title:** **Juvenile Accountability Incentive Block Grant**

**Description:** Requires local governments receiving Juvenile Accountability Incentive Block Grants to form a Juvenile Crime Enforcement Coalition.

**Authorization:** P. L. 105-119

**Comment:**

---

**Short Title:** **Juvenile Justice and Delinquency Prevention Act of 1974**

**Description:** Requires local governments to provide separate facilities for juveniles in detention centers that hold both juveniles and adults.

**Authorization:** P. L. 102-586

**Comment:**

---

**Short Title:** **Lead Containment Control Act of 1988**

**Description:** Requires local and private nonprofit elementary and secondary school and day care centers to test drinking water coolers to test and remedy lead contamination problems. This requirement is a component of the Safe Drinking Water Act Amendments.

**Authorization:** P. L. 100-572

**Comment:**

---



**Short Title:**     **Multiethnic Placement Act**

**Description:**   Prohibits an agency or entity that receives federal assistance and is involved in adoptive or foster care placements from delaying or denying the placement of a child solely on the basis of race, color, or national origin of the adoptive or foster parent or parents involved.

**Authorization:** P. L. 103-382

**Comment:**

---

**Short Title:**     **National Apprenticeship Act of 1937**

**Description:**   Requires local governments offering apprenticeship related programs registered with the U. S. Department of Labor to comply with equal opportunity and affirmative action regulations.

**Authorization:** P. L. 75-308

**Comment:**

---

**Short Title:**     **National Dam Safety Act**

**Description:**   Requires local governments building dams to build and maintain them in accordance with federal standards.

**Authorization:** P. L. 92-367

**Comment:**

---

**Short Title:**     **National Environmental Policy Act of 1969**

**Description:**   Local governments undertaking construction projects using federal funds may be required to prepare an environmental impact statement.

**Authorization:** P. L. 91-190; 94-52; 94-83

**Comment:**

---

**Short Title:**     **National Historic Preservation Act of 1966**

**Description:**   Requires local governments undertaking projects with federal funds to take into account the effect such actions might have on properties listed or eligible for listing on the National Register of Historic Places.

**Authorization:** P. L. 89-665

**Comment:**

---

**Short Title:**    **National School Lunch Act**

**Description:**   Requires local school divisions participating in the National School Lunch Program to comply with federal regulations guiding program administration, preparation and service of nutritious lunches, use of program funds, and record keeping and reporting.

**Authorization:** P. L. 104-149

**Comment:**

---

**Short Title:**    **Occupational Safety and Health Act of 1970**

**Description:**   Requires local governments to meet federal safety standards for employees.

**Authorization:** P. L. 91-596

**Comment:**

---

**Short Title:**    **Ocean Dumping Ban Act**

**Description:**   Prohibits ocean dumping of sludge from local government sewage treatment facilities.

**Authorization:** P. L. 100-688

**Comment:**

---

**Short Title:**    **Older Worker's Benefit Protection Act**

**Description:**   Requires public employee benefit programs to be adjusted in order to provide equal benefits to older and younger workers.

**Authorization:** P. L. 101-433

**Comment:**

---

**Short Title:**    **Omnibus Budget Reconciliation Act of 1990**

**Description:**   Requires mandatory Social Security coverage to all local government employees not otherwise covered by a public employee retirement system.

**Authorization:** P. L. 101-508

**Comment:**

---

**Short Title:** **Omnibus Transportation Employee Testing Act of 1991**

**Description:** Requires local governments to conduct mandatory drug testing for all employees operating specified vehicle type under specified conditions, and to test for drugs and alcohol for any employee performing safety-sensitive activities for federally funded transit systems.

**Authorization:** P. L. 102-143

**Comment:**

---

**Short Title:** **Perkins Vocational and Applied Technology Education Act**

**Description:** Requires local school divisions receiving federal funds for vocational education to comply with standards concerning competency-based secondary and post-secondary vocational education, vocational student organizations, and the elimination of sex-bias in vocational programs.

**Authorization:** P. L. 101-392

**Comment:**

---

**Short Title:** **Public Health Service Act**

**Description:** Requires local governments to expand community health services to the mentally ill, drug users, substance abusers, pregnant women, and other persons enumerated in the Act.

**Authorization:** P. L. 102-321

**Comment:**

---

**Short Title:** **Rehabilitation Act of 1973**

**Description:** Prohibits discrimination on the basis of physical or mental handicap in federally assisted programs.

**Authorization:** P. L. 93-112

**Comment:**

---

**Short Title:** **Residential Lead-Based Paint Hazard Reduction Act of 1992**

**Description:** Requires local governments responsible for federally assisted housing to assess, inspect, reduce, or abate lead hazards in such housing. This requirement is found in Title X of the Housing and Community Development Act of 1992.

**Authorization:** P. L. 102-550

**Comment:**

---

**Short Title:** **Resource Conservation and Recovery Act Amendments of 1984**

**Description:** Requires locally operated hazardous wastes sites to be inspected by the Environmental Protection Agency (EPA). Authorizes EPA to establish criteria for local government solid waste disposal facilities. Requires local governments that own and operate underground tanks that store petroleum and hazardous substances to comply with regulations concerning the prevention, detection, and correction of damage done by leaks and spills.

**Authorization:** P. L. 94-580; P. L. 98-616

**Comment:**

---

**Short Title:** **Safe Drinking Water Act**

**Description:** Requires local governments to comply with federal standards regulating drinking water. Those standards include maximum levels for contaminants which are known to occur in public water systems, appropriate analytical and treatment techniques, and public notification procedures., among other activities. Prohibits the use of lead in any pipes used to install or repair plumbing in public water systems.

**Authorization:** P. L. 93-523; P. L. 99-399

**Comment:**

---

**Short Title:** **Social Security Amendments of 1983**

**Description:** Prohibits local governments from withdrawing from Social Security coverage, and accelerates scheduled increase in payroll taxes and payment of payroll taxes by local governments.

**Authorization:** P. L. 98-21

**Comment:**

---

**Short Title:** **Soldiers' and Sailors' Civil Relief Act Amendments of 1991**

**Description:** Requires local governments to reemploy veterans returning from leave of absence at the seniority and rate of pay commensurate with continuous service.

**Authorization:** P. L. 101-353

**Comment:**

---

**Short Title:** **Stewart B. McKinney Homeless Assistance Act**

**Description:** Requires local governments to provide community mental health services for the homeless.

**Authorization:** P. L. 100-77

**Comment:**

---

**Short Title:** **Surface Transportation and Uniform Relocation Assistance Act of 1987**

**Description:** Requires local transit agencies buying buses with federal funds to comply with federal inspection, testing, and procurement requirements.

**Authorization:** P. L. 97-424; P. L. 100-17

**Comment:**

---

**Short Title:** **Tax Reform Act of 1986**

**Description:** Requires issuers of tax-exempt bonds (e.g., local governments) to rebate excess arbitrage profits to the United States. Requires that an information statement, Form 8038, be filed with the Internal Revenue Service for all governmental bond issues.

**Authorization:** P. L. 99-514

**Comment:**

---

**Short Title:** **Uniform Relocation and Real Properties Acquisition Policies Act of 1970**

**Description:** Establishes federal policies and reimbursement procedures for property acquisition under federally assisted programs.

**Authorization:** P. L. 91-646

**Comment:**

---

**Short Title:** **Urban Mass Transportation Act of 1964**

**Description:** Requires local governments receiving loans or grants for urban mass transportation systems to comply with the standards of the Davis-Bacon Act.

**Authorization:** P. L. 88-365

**Comment:**

---

**Short Title:** **Violent Crime Control and Law Enforcement Act of 1994**

**Description:** Requires local governments receiving Community Oriented Policing Services grant funds to hire and train new police officers or rehire officers that have been laid off due to budgetary reductions. Localities receiving funds for such activities are also required to provide a 25% match.

**Authorization:** P. L. 103-322

**Comment:**

---

**Short Title:** **Voter Accessibility for the Elderly and Handicapped Act**

**Description:** Requires local governments to assure all polling places used in federal elections are accessible to individuals with disabilities, and that a reasonable number of accessible voter registration sites be provided.

**Authorization:** P. L. 98-435

**Comment:**

---

**Short Title:** **Voting Rights Language Assistance Act**

**Description:** Requires local governments to provide bilingual assistance to voters if a locality has more than 10,000 citizens who share a minority or if more than 5% of the voting-age citizens are members of a language minority.

**Authorization:** P. L. 89-110; 97-205; 102-344

**Comment:**

---

**Short Title:** **Water Quality Act of 1987**

**Description:** Requires local governments to comply with requirements for identifying and controlling nonpoint pollution. Establishes new requirements for testing and permitting discharges from storm sewers owned by local governments. Directs the Environmental Protection Agency to develop regulations governing toxic wastes in sewage sludge.

**Authorization:** P. L. 100-4

**Comment:**

---

**Short Title:** **Water Resources Development Act of 1986**

**Description:** Requires local governments that participate in federal water resources projects to share the costs of such projects.

**Authorization:** Water Resources Development Act of 1986

**Comment:**

---

## **Appendix D**

### **Summary of State and Federal Mandates by Secretariat, Agency, and Type**

## Mandates on Local Governments by Secretariat, Agency, and Type

SECRETARIAT AND AGENCY	COMPULSORY ORDER	CONDITION OF FINANCIAL AID	REGULATION OF OPTIONAL ACTIVITY	TOTAL
ADMINISTRATION				
Compensation Board	6	0	0	6
Elections, State Board of	3	0	0	3
General Services, Department of	0	0	1	1
Human Resource Management, Department of	0	0	1	1
Total	9	0	2	11
COMMERCE AND TRADE				
Agriculture and Consumer Services, Department of	2	2	1	5
Employment Commission, Virginia	0	1	0	1
Forestry, Department of	0	5	0	5
Housing and Community Development, Department of	1	8	2	11
Labor and Industry, Department of	3	0	2	5
Mines, Minerals, and Energy, Department of	0	0	2	2
Professional and Occupational Regulation, Department of	0	0	2	2
Total	6	16	9	31
EDUCATION				
Arts, Virginia Commission for the	0	2	0	2
Community College System, Virginia	0	0	1	1
Education, Department of	82	18	5	105
Library of Virginia, The	1	3	2	6
Total	83	23	8	114



## Mandates on Local Governments by Secretariat, Agency, and Type

SECRETARIAT AND AGENCY	COMPULSORY ORDER	CONDITION OF FINANCIAL AID	REGULATION OF OPTIONAL ACTIVITY	TOTAL
FINANCE				
Taxation, Department of	8	0	1	9
Treasury, Department of the	5	0	3	8
Total	13	0	4	17
HEALTH AND HUMAN RESOURCES				
Aging, Department for the	0	1	0	1
Health, Department of	10	2	14	26
Medical Assistance Services, Department of	1	0	0	1
Mental Health, Mental Retardation, and Substance Abuse, Department of	12	0	1	13
People with Disabilities, Virginia Board for	0	1	0	1
Rehabilitative Services, Department of	1	0	0	1
Social Services, Department of	43	5	4	52
Visually Handicapped, Department for the	1	1	0	2
Total	68	10	19	97
NATURAL RESOURCES				
Chesapeake Bay Local Assistance Department	7	0	0	7
Conservation and Recreation, Department of	0	8	4	12
Environmental Quality, Department of	7	5	16	28
Game and Inland Fisheries, Department of	0	0	5	5
Historic Resources, Department of	0	3	0	3
Marine Resources Commission	0	0	2	2
Total	14	16	27	57

## Mandates on Local Governments by Secretariat, Agency, and Type

SECRETARIAT AND AGENCY	COMPULSORY ORDER	CONDITION OF FINANCIAL AID	REGULATION OF OPTIONAL ACTIVITY	TOTAL
PUBLIC SAFETY				
Corrections, Department of	0	1	3	4
Criminal Justice Services, Department of	3	15	5	23
Emergency Management, Department of	5	3	0	8
Fire Programs, Department of	0	1	1	2
Juvenile Justice, Department of	3	2	3	8
State Police, Department of	10	0	2	12
Total	21	22	14	57
TECHNOLOGY				
Technology Planning, Department of	2	0	0	2
Total	2	0	0	2
TRANSPORTATION				
Aviation, Department of	1	2	5	8
Motor Vehicles, Department of	0	1	3	4
Port Authority, Virginia	0	1	0	1
Rail and Public Transportation, Department of	0	9	1	10
Transportation, Department of	5	17	3	25
Total	6	30	12	48
STATE EXECUTIVE COUNCIL				
Office of Comprehensive Services	0	1	0	1
Total	0	1	0	1

Mandates on Local Governments by Secretariat, Agency, and Type

SECRETARIAT AND AGENCY	COMPULSORY ORDER	CONDITION OF FINANCIAL AID	REGULATION OF OPTIONAL ACTIVITY	TOTAL
UNREVIEWABLE MANDATES				
No Executive Agency Oversight	11	0	1	12
No State Oversight	47	25	9	81
Total	58	25	10	93
TOTAL REVIEWABLE MANDATES	222	118	95	435
TOTAL MANDATES	280	143	105	528

**This page intentionally left blank.**

## **Appendix E**

### **Virginia Statutes Affecting Mandates on Local Governments**

## **Virginia Statutes Affecting Mandates on Local Governments**

The Code of Virginia has several provisions relating to State and federal mandates imposed on local governments. Those provisions are summarized below:

### **AGENCY ASSESSMENT**

Each State executive agency is required to assess the mandates it administers to determine which mandates, if any, may be altered or eliminated. (Code of Virginia § 2.1-7.1)

### **GUBERNATORIAL SUSPENSION OF MANDATES**

The Governor may suspend for up to one year any administrative mandate imposed on a local government, except for those administered by the Department of Education, if the local government faces fiscal stress and the Governor determines that the suspension of the mandate would help alleviate the fiscal hardship faced by the local government. Before the mandate is suspended, information regarding the request for a suspension must be published in the Virginia Register. The Governor also must report annually to the General Assembly on any local requests for a mandate suspension and his response to the request. (Code of Virginia § 2.1-51.5:1)

### **REVIEW OF COST ESTIMATES OF MANDATES**

The Virginia Advisory Commission on Intergovernmental Relations, upon request of the Virginia Association of Counties, the Virginia Municipal League, or any local government, may review the cost estimates prepared by the Commission on Local Government pursuant to § 30-19.03 or executive agency assessments of mandates pursuant to § 2.1-7.1. The Commission shall report its findings to the Governor and General Assembly on or before the first calendar day of any regular legislative session. (Code of Virginia § 2.1-335.2)

### **FEDERAL MANDATES**

The Implementation of Federal Mandates Act establishes a procedure by which the Governor and General Assembly will critically review all State agency budgetary requests resulting from federal mandates to ensure that federally mandated programs are properly based on federal constitutional and statutory authority and are implemented in the most cost effective manner possible. State agencies are directed to report to the Department of Planning and Budget any monetary savings and reduced regulatory burdens that could be effected by alternative

## Catalog of State and Federal Mandates on Local Governments—2001

strategies for implementation of federal mandates designed to meet the intent of federal statutes without having to follow all applicable federal guidelines. (Code of Virginia §§ 2.1-798 and 2.1-799)

### **PILOT PROGRAM FOR REGULATIONS**

An agency proposing a regulation imposing a statewide mandate shall consider, where appropriate, implementing the mandate on a limited basis with a representative number of localities. Such a pilot program may be used to determine the effectiveness or impact of proposed regulations prior to statewide adoption. (Code of Virginia § 9-6.14:8.1)

### **ASSESSMENT SCHEDULE AND CATALOG**

The Commission on Local Government is required to coordinate the assessment of mandates which agencies must conduct. The Commission must establish a schedule for the assessment of mandates and advise the Governor and the General Assembly as to which mandates, according to the assessments, can be altered or eliminated without interruption of local service delivery or undue threat to the health, safety, and welfare of residents. No assessment shall be required to be performed more than once every four years. The Commission is also required to prepare, and annually update, a catalog of State and federal mandates imposed on local governments, including, where available, a summary of the fiscal impact of new mandates. (Code of Virginia § 15.2-2903)

### **FISCAL IMPACT STATEMENTS**

The Commission on Local Government is required to prepare a fiscal impact statement on legislation which may require local governments to render a new service or expand any existing service, or which may require a net reduction in revenues by any county, city, or town. The Division of Legislative Services is directed to refer any legislation appearing to meet that criterion to the Commission for the preparation of the fiscal impact statement. No bill that mandates a net additional expenditure for a locality may be considered by the General Assembly unless filed on or before the first calendar day of the session or unless otherwise specifically exempted. (Code of Virginia §§ 30-19.03, 30-19.03:1, and 30-19.03:1.1)

## **AGENCY ASSESSMENT**

**§ 2.1-7.1. Agency mandates on localities; assessment.** – Pursuant to § 15.1-945.3, all agencies, as defined in § 2.1-8.2, shall conduct an assessment of all mandates imposed on local governments administered by such agency to determine which mandates, if any, may be altered or eliminated.

## **GUBERNATORIAL SUSPENSION OF MANDATES**

**§ 2.1-51.5:1. Temporary suspension of state mandates.** – The Governor may suspend, temporarily and for a period not to exceed one year, any mandate, or portion thereof, prescribed by an administrative department, division or agency of the executive branch of government on a county, city, town, or other unit of local government upon a finding that such local government or other unit of local government faces fiscal stress and the suspension of such mandate or portion thereof would help alleviate the fiscal hardship of the local government or other unit of local government.

No application shall be made by the locality until approved by resolution of the governing body.

At the time of application, the following information shall be published in the Virginia Register: (i) the name of the petitioning locality, (ii) the mandate or portion thereof requested to be suspended, (iii) the impact of the suspension of the mandate on the ability of the local government to deliver services, (iv) estimated reduction in current budget from such suspension, and (v) the time period requested for suspension. Publication in the Virginia Register shall occur at least twenty days in advance of such suspension by the Governor.

No later than January 1 of each year, the Governor shall submit to the General Assembly a report that identifies each locality and petitioning body, the mandate or portion thereof for which suspension has been sought, and the response provided to the locality.

Nothing in this section shall apply to the Department of Education.

In making a determination of fiscal stress, the Governor may give consideration to, but not be limited to, the following factors: any changes in anticipated revenue, income distribution of residents, revenue effort, revenue capacity, and changes in local population and employment levels.

## **REVIEW OF COST ESTIMATES OF MANDATES**

**§ 2.1-335.2. Duties of Commission.** – The Commission shall act as a forum for identifying areas of mutual concern to local and state officials, discussing and offering recommendations on issues affecting local governments and, in particular, those issues affecting the relationship of



the Commonwealth with its various local governments. The Commission shall, in addition to the above-mentioned duties:

1. Advise on state and federal programs and policies.
2. Identify, discuss, and bring into focus statewide opportunities and issues regarding local government.
3. Arrange conferences between officials of local governments and state agencies, when appropriate.
4. Formalize proposals for coordination and cooperation between the Commonwealth and its local governments.
5. Discuss state assistance to local governments, including financial, technical, and policy issues.
6. Review services and shared programs between state and local governments, such as constitutional officers, health, welfare and corrections.
7. Provide information on and assist in soliciting federal grants.

The Commission, upon the request of the Virginia Association of Counties, the Virginia Municipal League, or any local governing body, may review the cost estimates prepared by the Commission on Local Government pursuant to § 30-19.03 or executive agency assessments of mandates pursuant to § 2.1-7.1. The Commission shall report annually on or before the first calendar day of any regular session its findings, if any, to the Governor and the General Assembly.

## **STATE PROGRAMS TO IMPLEMENT FEDERAL STATUTES**

**§ 2.1-798. State programs to implement federal statutes.** – A. Any state officer, official, or employee charged with the duty of implementing any federal statute shall implement the law as required by the federal statute in good faith and exercising a critical view toward the provisions of any federal regulation, guideline, or policy in order to identify those provisions of any federal regulation, guideline, or policy that are inconsistent with Virginia policy or do not advance Virginia policy in a cost-effective manner.

B. Any agency of the executive branch that is authorized to develop a state program to respond to any mandates contained in a federal statute shall develop the state program and promulgate any necessary regulations using the following criteria:

1. State programs shall be developed by the agency to meet the requirements of federal statutes in good faith with a critical view toward any federal regulations, guidelines, or policies.
2. State programs shall be developed with due consideration of the financial restraints of local governments, the citizens of Virginia and the Commonwealth.
3. Any state program that implements the goals of the federal statute shall use the most efficient method possible with careful consideration given to cost of the program and the impact of the program on Virginia

citizens and local governments, and the long-range public health, safety, and welfare of citizens of the Commonwealth.

**§ 2.1-799. Governor to report to the General Assembly.** – A. The Governor shall report to the General Assembly regarding the proposed implementation of this section.

B. If any state program is authorized or mandated by a federal statute, no state funds for the program shall be appropriated unless:

1. The state program is necessary to protect the public health, safety, and welfare;
2. The state program is necessary to implement the federal statute;
3. The operation of the state program benefits the state by providing a cost-effective implementation of the federal statute by the Commonwealth, local government, and business; or
4. The state program benefits the Commonwealth, local government, and business by providing a cost-effective means to meet a higher public health, safety, and welfare standard established under state law.

C. Each agency making a budget request for state appropriations for a state program authorized or mandated by federal statute shall include in its budget request citations to the federal constitutional provisions and the state constitutional or statutory provisions that authorize the state program. The Governor shall review the budget request and determine whether additional state statutory authority is required in order to implement the state program and shall make recommendations to the General Assembly.

D. The General Assembly, after receiving a recommendation from the Governor, shall determine whether a state program is necessary and whether federal constitutional authority and state constitutional or statutory authority exist. The General Assembly shall exercise a critical review toward the interpretation of the federal statute found in federal regulations, guidelines, or policies. Enactment of state appropriations for a state program shall constitute the General Assembly's determination that the state program is necessary and that federal constitutional authority and state constitutional or statutory authority exist. State appropriations may not be based solely on requirements found in regulations, guidelines, or policies of a federal agency.

E. Prior to recommending to the General Assembly any budget for an agency that is charged with implementing federal mandates, the Governor shall request that the agency provide information to the Department of Planning and Budget regarding any monetary savings for the state and any reduction in regulatory burdens on the public and on local governments that could be or have been achieved through the development of state policies that meet the intent of the federal statute but do not necessarily follow all applicable federal regulations, guidelines, or policies. The agency shall also provide advice to the Department of Planning and Budget regarding any changes in law that are necessary to

provide the agency the authority to implement state policies in such a way as to create additional savings or greater reductions in regulatory burdens. The Department of Planning and Budget shall review and compile the information received from agencies pursuant to this section and shall include recommendations in the executive budget.

F. For purposes of this section, "state program" shall not include any portion of a program that is funded with nontax or nonfee revenue, or both, which state authorities are required to administer in a trusteeship or custodial capacity and which are not subject to appropriation by the General Assembly.

### **PILOT PROGRAM FOR REGULATIONS**

**§ 9-6.14:8.1. Pilot programs for regulations imposing local government mandates.** – Where an agency proposes to consider the exercise of authority to promulgate a regulation which will impose a statewide mandate on the Commonwealth's localities, the agency shall consider, where appropriate, implementing the regulation on a limited basis with a representative number of localities. An agency may use such a pilot program to determine the effectiveness or impact of proposed regulations prior to statewide adoption.

### **ASSESSMENT SCHEDULE AND CATALOG**

#### **§15.2-2903. General powers and duties of Commission.** –

The Commission shall have the following general powers and duties:

1. To make regulations, including rules of procedure for the conducting of hearings;
2. To keep a record of its proceedings and to be responsible for the custody and preservation of its papers and documents;
3. To serve as a mediator between localities;
4. To investigate, analyze, and make findings of fact, as directed by law, as to the probable effect on the people residing in any area of the Commonwealth of any proposed action in that area:
  - a. To annex territory,
  - b. To be declared immune from annexation,
  - c. To establish a town or independent city,
  - d. To settle or adjust boundaries between localities,
  - e. To make a transition from city status to town status,
  - f. To make a transition from a county to a city,
  - g. To consolidate two or more localities, at least one of which is a county, into a city, or
  - h. To enter into economic growth-sharing agreements among localities;
5. To conduct investigations, analyses and determinations, in the sole discretion of the Commission, for the guidance of localities in the conduct of their affairs upon the request of such localities;

6. To receive from all agencies, as defined in § 2.1-8.2, assessments of all mandates imposed on localities administered by such agencies. The assessments shall be conducted on a schedule to be set by the Commission, with the approval of the Governor and the Secretary of Administration, provided that the assessments shall not be required to be performed more than once every four years. The purpose of the assessments shall be to determine which mandates, if any, may be altered or eliminated. If an assessment reveals that such mandates may be altered or eliminated without interruption of local service delivery and without undue threat to the health, safety and welfare of the residents of the Commonwealth, the Commission shall so advise the Governor and the General Assembly;

7. To prepare and annually update a catalog of state and federal mandates imposed on localities including, where available, a summary of the fiscal impact on localities of all new mandates. All departments, agencies of government, and localities are directed to make available such information and assistance as the Commission may request in maintaining the catalog; and

8. To perform such other duties as may be imposed upon it, from time to time, by law.

### **FISCAL IMPACT STATEMENTS**

**§ 30-19.03. Estimates to be prepared for legislation affecting local government expenditures and revenues.** – Whenever any bill requiring a net additional expenditure by any county, city, or town, as defined in § 30-19.03:1, or whenever any bill requiring a net reduction of revenues by any county, city, or town, as defined in § 30-19.03:1.1, is filed during any session of the General Assembly, the Commission on Local Government shall investigate and prepare an estimate setting forth, to the extent practicable, the additional expenditures or reduction of revenues, if any, to be required of the affected localities in event of enactment of such legislation. The Division of Legislative Services shall examine all bills filed during any legislative session for the purpose of identifying and forwarding to the Commission on Local Government those bills requiring the preparation of fiscal estimates pursuant to this section.

As soon thereafter as may be practicable, the Commission on Local Government shall forward copies of such estimates to the Clerk of the House of Delegates for transmittal to each patron of the legislation and to the chairman of each committee of the General Assembly to consider the same.

All departments, agencies of government, the Division of Legislative Services, and all local governmental units of the Commonwealth are directed to make available such information and assistance as the Commission on Local Government may request in preparing the estimates required by this section.

**§ 30-19.03:1. Bills requiring net additional expenditures by local governments to be filed by first calendar day of session.** – No bill which mandates a net additional expenditure by any county, city, or town shall be considered by the General Assembly at a regular session unless the bill has been filed on or before the first calendar day of any session of the General Assembly, unless requested by the Governor or is filed in accordance with the rules of the General Assembly. A bill shall be deemed to mandate an expenditure if it has the effect of requiring any county, city, or town to (i) perform or administer a new or expanded program or service, (ii) maintain an existing program or service at a specified level of spending or delivery, (iii) assume or incur administrative costs in support of a state or state-related program, or (iv) furnish capital facilities for state or state-related activities.

For purposes of this section, "net additional expenditure" means the cost anticipated to be incurred annually, less any revenues receivable on account of the program or service from fees charged recipients of the program or service, state or federal aid paid specifically and categorically in connection with the program or service, new or increased local sources of revenue authorized and designated specifically to offset the cost of the program or service, and any offsetting savings resulting from the reduction or elimination of any program or service directly attributable to the performance of the required program or service.

The provisions of this section shall not apply to a program or service that is required or arises from a court order or judgment, nor to a program or service that is provided at the option of the county, city, or town under a law that is permissive rather than mandatory.

The enactment of any statute that mandates a net additional expenditure by any county, city or town shall be conclusive proof that the procedural requirements of this section have been satisfied or waived.

**§ 30-19.03:1.1. Bills requiring net reduced revenues by local governments to be filed by first calendar day of session.** – No bill which mandates a net reduction of revenues collected by any county, city, or town shall be considered by the General Assembly at a regular session unless the bill has been filed on or before the first calendar day of any session of the General Assembly, unless requested by the Governor or filed in accordance with the rules of the General Assembly. A bill shall be deemed to mandate a net reduction of revenues if it has the effect of requiring any county, city, or town to (i) relinquish an existing or potential source of local revenue by classification or exclusion or (ii) diminish an existing or potential source of revenue by classification or exclusion.

For the purposes of this section, "net reduction of revenues" means the reduction anticipated in local revenues, including, but not limited to, general levies, special levies, revenues received pursuant to §§58.1-605 and 58.1-606 and administrative and user fees, to be incurred annually, less any new local revenues receivable and any offsetting savings resulting

Catalog of State and Federal Mandates on Local Governments—2001

from the reduction of local revenues, caused by the classification or exclusion being proposed.

The provisions of this section shall not apply to a reduction in local revenues that is required or arises from a court order or judgment, nor to a revenue reduction that is adopted at the option of any county, city, or town under a law that is permissive rather than mandatory, nor to a revenue reduction which is the result of a measure providing tax relief on a statewide basis. Further, and notwithstanding any other law, the General Assembly may consider tax relief measures at any time in which the Assembly is in regular or special session.

The enactment of any statute that mandates a net reduction of revenues for any county, city, or town shall be conclusive proof that the procedural requirements of this section have been satisfied or waived.

# Catalog of State and Federal Mandates on Local Governments—2001

## Key Word Index

<u>Key Word</u>	<u>Page Number</u>
Abuse (see Child, Spouse)	
Academic (see License, Student)	
Access (see also Road, Vacation School)	
•Equal Access Act . . . . .	281
Accreditation	
•Standards of Accreditation Requirements . . . . .	78
Administrators (see Teachers)	
Adoption	
•Adoption and Other Services . . . . .	204
Adult	
•Adult and Family Care Program Requirements . . . . .	206
•Adult Day Care Centers and Adult Homes Licensing . . . . .	213
•Adult Protective Services . . . . .	206
•Assessment in Adult Care Residences . . . . .	216
Advertising	
•Removal of Outdoor Advertising . . . . .	238
AFDC	
•Eligibility for the Aid to Families with Dependent Children - Foster Care Program . . . . .	201
Age (see also Discrimination)	
•Area Plan for Aging Services . . . . .	31
Air (see Clean Air, Hazardous)	
Aircraft (see Airport)	
Airport	
•Airport Access Road . . . . .	234
•Airport Financial Responsibility . . . . .	38
•Airport Grant Application Approval . . . . .	36
•Airport Grant Assurances . . . . .	37
•Airport Licensing . . . . .	35
•Airport Operation Standards . . . . .	35
•Airport Property Lease . . . . .	36
•Airport Safety Overlay Zoning . . . . .	37
•Based Aircraft Survey . . . . .	38
Alcohol (see also Drug)	
•Alcohol Detoxification Center Grant . . . . .	57
•Preliminary Alcohol Analysis of Breath . . . . .	62
•Virginia Alcohol Safety Action Program . . . . .	255
Americorps	
•AmeriCorps Grant . . . . .	214
Animal	
•Enforcement of Comprehensive Animal Laws . . . . .	31
•Public Animal Holding Facility . . . . .	32
•Training Standards for Animal Control Officers . . . . .	63
Appalachian	
•Appalachian Regional Commission (ARC) Program Participation . . . . .	161

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Apprenticeship	
•Administration of Apprenticeship-Related Instruction . . . . .	42
•National Apprenticeship Act of 1937 . . . . .	288
•Voluntary Apprenticeship Programs . . . . .	171
ARC (see Appalachian)	
Architectural	
•Architectural Barriers Act . . . . .	273
Arrest	
•Arrest Report . . . . .	219
•Mandatory Arrest in Family Violence Cases . . . . .	270
Artist	
•Artist in Residence Grant . . . . .	34
Arts (see Local)	
Asbestos	
•Asbestos Inspector Licensing . . . . .	187
Assault (see Sexual Assault)	
Assessment (see also Real Estate)	
•Annual Assessment Sales Ratio Study . . . . .	226
•In-Service Training in Assessment Measures . . . . .	78
Asset	
•Forfeited Asset Sharing Program (FASP) . . . . .	54
Asthma (see Medication)	
Audit (see also Correctional Facility)	
•Annual Audit . . . . .	251
•Single Audit . . . . .	272
Bank	
•Banks' Returns on Net Capital . . . . .	225
Barriers (see Architectural)	
Base Closure (see Redevelopment)	
Beach	
•Public Beach Grants and Advisory Commission . . . . .	49
Blind Person (see Technology, Vending Stand)	
Boat	
•Local Boating Ordinances . . . . .	143
Boiler (see Safety)	
Bond (see also Tax)	
•Blanket Fidelity Bond Program . . . . .	247
•Investment of Virginia Public School Authority Bond Proceeds . . . . .	244
BPOL (see Tax)	
Breakfast (see School)	
Bridge (see Safety)	
Budget (see also Constitutional Officer)	
•Annual Budget Required . . . . .	195
•Consolidated Omnibus Budget Reconciliation Act of 1985 . . . . .	278
•Omnibus Budget Reconciliation Act of 1990 . . . . .	290
•Standards for Local Budget . . . . .	265



## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Building Code	
•Uniform Statewide Building Code . . . . .	159
Building Permit	
•Contractors License Required for Building Permit . . . . .	267
Bus (see also School)	
•New Model Bus Testing . . . . .	188
Cable	
•Cable Communications Policy Act of 1984 . . . . .	274
Capias (see Warrants)	
Care (see also Adult, Child)	
•Long-Term Care Screening Team Participation Required . . . . .	197
•Long-Term Care Services Coordination Committee . . . . .	205
CASA (see Court)	
Case	
•Case Management Services . . . . .	211
•Caseload Reporting . . . . .	201
CDBG (see Community Development)	
Census (see School)	
Certified	
•Grants to Certified Local Governments . . . . .	158
Character (see Education)	
Chesapeake Bay	
•Chesapeake Bay Preservation Area Designation . . . . .	39
Child (see also Health)	
•Child Abuse and Neglect Prevention Grant . . . . .	215
•Child Abuse and Neglect Treatment Grant . . . . .	215
•Child Abuse/Molestation Offense Certification Required . . . . .	67
•Child Day Care Centers, Camps, and Schools Licensing . . . . .	212
•Child Health Services Program . . . . .	146
•Child Nutrition Act of 1966 . . . . .	275
•Child Protective Services . . . . .	203
•Long-Term and Transitional Child Day Care Services . . . . .	208
•Purchase of Child Day Care Services . . . . .	209
Children (see also AFDC, Disability)	
•Missing Children Information Clearinghouse . . . . .	221
Civil Rights	
•Civil Rights Act of 1964 . . . . .	275
•Civil Rights Act of 1968 . . . . .	276
•Civil Rights Restoration Act of 1987 . . . . .	276
Class	
•Reduced Class Size Grant . . . . .	100
Clean Air	
•Clean Air Act . . . . .	277
•Clean Air Act Amendments . . . . .	190
•Clean Air Act Section 105 Grant . . . . .	125
•Compliance with Air Emission Standards . . . . .	137

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Clean Water	
•Clean Water Act . . . . .	277
•Federal Clean Water Act Section 319 - Nonpoint Source Pollution Control Grant . . . . .	51
Coal (see Mining)	
Coastal (see also Zoning)	
•Virginia Coastal Resources Management Program . . . . .	125
Code (see Building Code)	
Community (see also Corrections, Health, Housing, Juvenile, Redevelopment, Safety)	
•Community Oriented Policing Services Grant (COPS) . . . . .	267
•Community Policing Fund . . . . .	60
•Community Services Board Emergency Services . . . . .	178
•Community Services Board Prescription Team . . . . .	179
•Establishment of Community Services Board . . . . .	177
•Integration of Community Services . . . . .	210
•Support Services for Community Services Board . . . . .	178
Community Development	
•Small Cities Community Development Block Grant Program . . . . .	160
Community Services Board (see Community, License, Medicaid)	
Competitiveness (see Regional)	
Composting (see Waste)	
Comprehensive Plan (see also Tidewater)	
•Comprehensive Plan Adoption . . . . .	260
•Development of Comprehensive State Plan . . . . .	180
Conduct (see Student)	
Conservation	
•Land and Water Conservation Fund - Federal Grants . . . . .	47
•Perpetual Conservation Easement . . . . .	48
•Virginia Land Conservation Foundation Grants . . . . .	52
Constitutional Officer	
•Constitutional Officer Annual Budget Request . . . . .	43
•Constitutional Officer Legal Expenses . . . . .	43
•Constitutional Officer Personnel Benefits . . . . .	264
•Funding Constitutional Officer Expenses . . . . .	44
•Office Space for Constitutional Officers . . . . .	253
Construction (see Maintenance)	
COPN (see Health)	
COPS (see Community)	
Correctional Facility (see also Juvenile)	
•Correctional Facility Compliance Audit . . . . .	54
•Correctional Facility Cost-Sharing . . . . .	53
•Correctional Facility Standards . . . . .	52
•Inspection of Local Correctional Facilities . . . . .	155
Corrections	
•Comprehensive Community Corrections Program . . . . .	59

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Court (see also Juvenile)	
•Court Service Unit Office Space . . . . .	167
•Court Service Unit Standards . . . . .	166
•Court-Appointed Special Advocate Program (CASA) . . . . .	59
•Court-Ordered Evaluation for Guardianship . . . . .	205
•Support for Courts and Magistrates . . . . .	252
Crime (see also Sex Offender)	
•Crime Prevention Grants . . . . .	60
•Crime Victim Services Grant . . . . .	58
•Notification of Rights for Victim of Crime . . . . .	256
•Prevention of Violence and Crime on School Property . . . . .	105
•Uniform Crime Reporting System . . . . .	221
Criminal (see also School Board)	
•Criminal Firearms Clearinghouse . . . . .	222
•Criminal History Record Information . . . . .	55
•Training Standards for Criminal Justice Personnel . . . . .	57
•Virginia Criminal Information Network . . . . .	220
Cultural	
•Cultural Resource Survey and Planning Cost-Share Program . . . . .	159
Curb	
•Curb Ramp Standards . . . . .	239
Dam (see Impounding)	
Davis-Bacon Act	
•Davis-Bacon Act . . . . .	278
Day Care (see Adult Care, Care, Child)	
Delinquency (see also Juvenile)	
•Delinquency Prevention . . . . .	166
Dental (see Health)	
Deposit	
•Depositing Requirements for State Funds . . . . .	245
•Exception Reporting by Public Depositor . . . . .	245
Derelict	
•Derelict Structures Fund . . . . .	163
Design-Build	
•Design-Build/Construction Management Review . . . . .	144
Development (see also Housing, Tidewater)	
•Industrial Site Development Fund . . . . .	164
Diploma (see also Student)	
•Units of Credit for High School Diplomas . . . . .	93
Disability (see also Education, Records, Transportation)	
•Americans With Disabilities Act . . . . .	242
•Assistance for Disabled and Elderly at Polling Place . . . . .	119
•Developmental Disabilities Grant . . . . .	186
•Early Identification and Placement of Students with Disabilities . . . . .	97
•Establishment of Local Disability Services Board . . . . .	193
•Identification of Children with Disabilities . . . . .	106

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
•Special Schools for Students with Disabilities . . . . .	98
Disadvantaged (see Minority)	
Disaster (see also Flood)	
•Disaster Assistance . . . . .	122
Discrimination (see also Education, Vacation School)	
•Age Discrimination Act of 1975 . . . . .	272
•Age Discrimination in Employment Act Amendments of 1986 . . . . .	273
•Federal Anti-Discrimination Policy . . . . .	263
Disease	
•Communicable Disease Services . . . . .	145
•Optional Communicable Disease Services Program . . . . .	148
Discharge	
•PredischARGE Planning . . . . .	181
Dispute	
•Dispute Resolution . . . . .	181
Driver Education (see Education)	
Drug (see also Edward Byrne)	
•Drug and Alcohol Testing in Transit Operations . . . . .	192
•Drug-Free Schools and Campuses . . . . .	111
•Drug-Free Schools and Community Act . . . . .	279
•Drug-Free Workplace Act of 1988 . . . . .	279
•Drugs and Drug Abuse Instruction . . . . .	86
•Intensified Drug Enforcement Assistance (IDEA) Grant . . . . .	58
Dumping (see Ocean Dumping)	
Easement (see Conservation)	
Education (see also Family)	
•Adult Education Programs . . . . .	90
•Career Education Program . . . . .	90
•Character Education . . . . .	114
•Competency-Based Vocational Education Program . . . . .	93
•Competency-Based Vocational Education Standards . . . . .	95
•Education Amendments of 1972 . . . . .	280
•Elementary and Secondary Education Act Title VI Regulations . . . . .	79
•Funds for Driver Education Standards . . . . .	87
•Individuals with Disabilities Education Act . . . . .	280
•Moral Education . . . . .	87
•Nondiscrimination in Vocational Education . . . . .	94
•Physical and Health Education . . . . .	96
•Provision of Free Education . . . . .	75
•Special Education Plan . . . . .	98
•Special Education Program Standards . . . . .	99
•Special Education Services . . . . .	97
•Vocational Education Program Plan . . . . .	96
•Vocational Education Student Organizations . . . . .	96
Edward Byrne	
•Edward Byrne Memorial Grant . . . . .	56
Elderly (see Disability)	

# Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Electoral	
•Electoral Board and Registrar . . . . .	119
Electronic	
•Electronic Classroom . . . . .	101
Emergency (see also License, Local, Medical)	
•Appoint Local Emergency Services Director . . . . .	120
•Emergency Management Assistance . . . . .	120
•Radiological Emergency Plan . . . . .	121
Emissions (see Clean Air, Hazardous)	
Employee	
•Employee Qualification Standards . . . . .	196
•Employee Retirement System . . . . .	252
Employment (see also Food)	
•Employment Counseling and Placement Services . . . . .	91
•Equal Employment Opportunity Act of 1972 . . . . .	282
Endangered	
•Endangered Species Act of 1973 . . . . .	281
Energy	
•Energy Assistance Program . . . . .	193
English (see Student)	
Enterprise Zone	
•Virginia Enterprise Zone Act . . . . .	162
Environmental	
•National Environmental Policy Act of 1969 . . . . .	288
Erosion (see also Tidewater)	
•Erosion and Sediment Control Program . . . . .	50
ESEA	
•Improving Basic Programs (ESEA) . . . . .	112
Ethnic (see Multiethnic)	
Expulsion (see Pupil)	
Families (see also, AFDC, Youth)	
•Temporary Assistance to Needy Families (TANF) . . . . .	217
Family (see also Arrest)	
•Families in Education Incentive Grants Program . . . . .	116
•Family and Medical Leave . . . . .	268
•Family Life Education Materials . . . . .	103
•Family Planning Services Program . . . . .	147
•Family Preservation Services Requirements . . . . .	203
•Family-Based Social Services Policy . . . . .	202
•Involvement of Consumers and Family Members . . . . .	180
•Optional Family Planning Services Program . . . . .	149
Family Care (see Adult Care)	
FASP (see Asset)	
Fees	
•Fees and Charges . . . . .	110
Financial Report	
•Annual Financial Report . . . . .	251

# Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Fingerprinting (see School Board)	
Fire	
•Fire Programs Grant . . . . .	138
•Forest Fire Suppression Reimbursement . . . . .	140
•Statewide Fire Prevention Code . . . . .	160
•Training Standards for Fire Marshals . . . . .	139
•Virginia Dry Fire Hydrant Grant Program . . . . .	141
•Volunteer Fire Assistance Program Grant . . . . .	139
Firearm (see also Criminal, Hunting)	
•Carrying Loaded Firearm on Public Road . . . . .	142
Fiscal	
•Uniform Fiscal Year . . . . .	265
Flood	
•Flood Disaster Protection Act of 1973 . . . . .	284
•Flood Prevention and Protection Assistance Fund . . . . .	47
Food	
•Food Stamp Act of 1977 . . . . .	284
•Food Stamp Program . . . . .	198
•Food Stamp, Employment, and Training Program (FSET) . . . . .	209
•Regulation of Food and Drink Sales . . . . .	83
•Summer Food Service Program . . . . .	270
•USDA Food Program Participation Requirements . . . . .	32
Forest (see also Fire)	
•Urban and Community Forestry Assistance Program . . . . .	140
Foster Care (see also AFDC)	
•Foster Care Services . . . . .	204
Fraud	
•Fraud Control Program . . . . .	218
Freedom of Information	
•Virginia Freedom of Information Act . . . . .	254
Gangs (see Youth)	
G.E.D. (see Student)	
Government (see Certified, Local)	
Grievance (see Local, School Board)	
Guardian (see also Court)	
•Annual Reports by Guardians . . . . .	219
Guardianship (see Court)	
Gun (see also Handgun)	
•Registration of Machine Guns . . . . .	225
Gypsy Moth	
•Cooperative Gypsy Moth Suppression Program . . . . .	33
Handgun	
•Concealed Handgun Authorization/Permit . . . . .	224
Handicapped (see Education)	

# Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Hazardous	
•Appoint Local Hazardous Materials Coordinator . . . . .	123
•Hazardous Materials Response Team . . . . .	122
•Hazardous Materials Transportation . . . . .	131
•Hazardous Waste Management Requirements . . . . .	130
•National Emissions Standards for Hazardous Air Pollution (NESHAP) . . . . .	170
Head Start	
•Head Start Program . . . . .	269
Health (see also Child, Education, Insurance, Local, Mental Health, OSHA, Records)	
•Certificate of Public Need (COPN) Requirements for Local Health Facilities . . . . .	155
•Environmental Health Services Program . . . . .	147
•Maintain Local Health Department . . . . .	145
•Maternal Health Services Program . . . . .	146
•Optional Child Health Services Program . . . . .	148
•Optional Dental Health Services Program . . . . .	150
•Optional Maternal Health Services Program . . . . .	149
•Public Health Service Act . . . . .	291
•School/Community Health Center . . . . .	101
Hearing (see Sight, Vision)	
Highway (see also Hunting)	
•Entrance to State Highway Standards . . . . .	236
Hires	
•New Hires Reporting . . . . .	218
HIV (see Student)	
Home (see also Instruction, Out-of-Home)	
•Home Investment Partnership Act Program (HOME) . . . . .	161
•Home-Based Services . . . . .	208
•Homeownership and Opportunity for People Everywhere Program (HOPE) . . . . .	269
Homeless	
•Stewart B. McKinney Homeless Assistance Act . . . . .	293
HOPE (see Home)	
Hospitalization	
•State/Local Hospitalization Program . . . . .	176
Hotel (see License)	
Housing	
•Affordable Housing Promotion . . . . .	261
•Fair Housing Act Amendments of 1988 . . . . .	282
•Housing and Community Development Act of 1974 . . . . .	285
•Housing Revitalization Fund Grants . . . . .	163
•Live In Our Community Police Housing Program . . . . .	164
•National Affordable Housing Act Program . . . . .	257
Human (see Research)	
Hunting	
•Hunting Damage Stamp . . . . .	142
•Hunting Firearm Restrictions . . . . .	144
•Hunting or Trapping Near Highway . . . . .	143

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
ICC	
•ICC Termination Act of 1995 . . . . .	285
IDEA (see Drug)	
Immigration	
•Immigration Reform and Control Act of 1986 . . . . .	286
Immunization (see Student)	
Impounding	
•Virginia Impounding Structure Regulations . . . . .	48
Indigent	
•Indigent Representation . . . . .	253
Industrial (see Development)	
Information Technology (see Technology)	
In-Home (see Out-of-Home)	
Inmate (see also Jail)	
•Contract Inmate Classification Reporting . . . . .	45
Instruction (see also Personnel)	
•Home Instruction . . . . .	109
•Instruction Standards for K-3 . . . . .	85
•Program of Instruction for Grades K-12 . . . . .	84
Insurance	
•Health Insurance Portability and Accountability Act of 1996 . . . . .	297
•Optional Health Insurance . . . . .	165
Intake	
•Intake Services . . . . .	210
Integration (see Community)	
Internet (see Technology)	
Intervention (see Student)	
Jail	
•Jail Inmate Reporting . . . . .	44
•Jail Revenues and Expenditures Reporting . . . . .	45
•Virginia Public Building Authority Jail Construction Reimbursement Program . . . . .	244
Job (see Workforce)	
JTPA (see Workforce)	
Juror	
•Juror Costs . . . . .	254
Justice (see Criminal)	
Juvenile (see also Mental Health)	
•Community-Based Juvenile Services and Sanctions . . . . .	168
•Juvenile Accountability Incentive Block Grant . . . . .	64
•Juvenile Correctional Facility Report . . . . .	165
•Juvenile Delinquency Prevention and Juvenile Justice System Improvement Grants . . . . .	56
•Juvenile Detention, Probation, and Court Service Unit Standards . . . . .	167
•Juvenile Justice and Delinquency Prevention Act of 1974 . . . . .	286



# Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Labor	
•Fair Labor Standards Act Amendments of 1974 . . . . .	283
•Federal Labor Standards . . . . .	271
Laboratory (see Local)	
Land (see Conservation, Tidewater)	
Landfill	
•Landfill Closure . . . . .	137
Law (see Local)	
Lead	
•Lead Containment Control Act of 1988 . . . . .	287
•Residential Lead-Based Paint Hazard Reduction Act of 1992 . . . . .	292
Library (see also Technology)	
•Library Network . . . . .	172
•Library Operations Standards . . . . .	173
•Planning and Development Standards for Public Library Services . . . . .	173
•State Certified Librarian . . . . .	172
License (see also Building Permit, Child, Local, Principals)	
•Restaurant, Hotel or Summer Camp Licensing . . . . .	152
•Community Services Board Licensing . . . . .	177
•Emergency Medical Services Licensing . . . . .	151
•Waterworks and Wastewater Works Operators License . . . . .	187
Literacy	
•Literacy Passport Tests . . . . .	92
Literary Fund	
•Legal Opinion Required for Literary Fund Loan . . . . .	115
Litter	
•Litter Control and Recycling Grant . . . . .	127
•Litter Receptacles in Public Places . . . . .	128
Lobby	
•Lobbying Disclosure . . . . .	268
Local (see also Certified)	
•Local Clinical Laboratory Facility Requirements . . . . .	156
•Local Emergency Operations Plan . . . . .	121
•Local Government Arts Challenge Grant . . . . .	34
•Local Government Grievance Procedure Adoption . . . . .	262
•Local Government Grievance Procedure Filing . . . . .	262
•Local Government Personnel Classification and Pay Plan . . . . .	263
•Local Health Care Facility Licensing . . . . .	151
•Local Health Facility Medicare Requirements . . . . .	152
•Local Law Enforcement Block Grant Program . . . . .	63
•Local Planning Commission . . . . .	259
•Local School Division Policy Manuals . . . . .	77
•Local Transportation Improvement District . . . . .	242
•Local Use of Transportation Funds . . . . .	240
•Preparation of Local Plan by Licensed or Certified Professional . . . . .	259
Lunch (see School)	
Magistrates (see Court)	

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Maintenance	
•Maintenance and Construction Operations . . . . .	237
Marina	
•Public Marina . . . . .	154
Maternal (see Health)	
McGruff	
•McGruff House Program . . . . .	55
Medicaid	
•Community Services Board Participation in Community Medicaid Initiative . . . . .	176
•Medicaid Administration and Eligibility Determination . . . . .	200
Medical (see also License, Waste)	
•Emergency Medical Services Funds Report . . . . .	156
•Optional General Medical Services Program . . . . .	150
Medication	
•Asthma Medication Policy . . . . .	117
Mental Health	
•Mental Health Screening of Juveniles . . . . .	169
Mileage Report	
•Annual Mileage Report . . . . .	241
Military	
•Paid Leave for Military Duty . . . . .	264
Milk	
•Special Milk Program . . . . .	83
Mining	
•Regulation of Coal Surface Mining and Reclamation . . . . .	183
•Regulation of Mineral Mining Operations . . . . .	183
Minority	
•Disadvantaged/Minority Business Participation . . . . .	189
Minors (see Sex Offender)	
Molestation (see Child)	
Motor Vehicle (see Vehicle)	
Multiethnic	
•Multiethnic Placement Act . . . . .	287
Needy (see Families)	
Neglect (see Child)	
NESHAP (see Hazardous)	
Noise	
•Noise Abatement . . . . .	258
Nonpoint (see Clean Water, Water)	
Nutrient (see Water)	
Nutrition (see Child)	
Ocean Dumping	
•Ocean Dumping Ban Act . . . . .	289
Officer (see also Constitutional Officer)	
•Chief Administrative Officer . . . . .	182

# Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Office Space (see also Constitutional Officer)	
•Office Space Compliance Required . . . . .	197
OSHA	
•Occupational Safety and Health Act . . . . .	170
Outdoors	
•Virginia Outdoors Fund - State Grants and Loans . . . . .	46
Out-of-Home	
•Out-of-Home and In-Home Services Approval . . . . .	211
Parental (see School)	
Parolee	
•Residential Centers for Parolees . . . . .	53
Performance	
•Annual Performance Contract . . . . .	181
Personnel (see also Constitutional Officer, Criminal, Local)	
•Merit System of Personnel Administration . . . . .	194
•Minimum Instructional Personnel Requirements . . . . .	69
•Pupil Personnel Services in Grades K-12 . . . . .	91
Pesticide (see Recycling)	
Plan (see Age, Comprehensive, Emergency, Family, Local, School, Tidewater, Transportation)	
Police (see also Community, Housing)	
•Police Misconduct . . . . .	271
•Unmarked Police Vehicle License Plates . . . . .	184
Polling Place (see Disability)	
Pollution (see also Clean Water, Hazardous, Water)	
•Virginia Pollution Abatement Permit . . . . .	133
•Virginia Pollution Discharge Elimination System Permit . . . . .	132
Port	
•Port Assistance Grant . . . . .	186
Preservation	
•Historic Preservation Grants . . . . .	158
•National Historic Preservation Act of 1966 . . . . .	289
Preschool	
•At-Risk Four-Year-Old Preschool Grant . . . . .	100
Pressure Vessel (see Safety)	
Pretrial	
•Pretrial Services Program . . . . .	61
Principals	
•Licensed Principals and Assistant Principals . . . . .	68
Probation (see also Juvenile)	
Procurement	
•Virginia Public Procurement Act . . . . .	266
Property	
•Uniform Disposition of Unclaimed Property . . . . .	246
Protective Services (see Adult, Child)	
Pupil (see also Teacher, Sight)	
•Pupil Transportation . . . . .	81
•Suspension, Expulsion, and Exclusion of Pupils . . . . .	110

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Radiological (see Emergency)	
Radon (see School)	
Rail (see Transportation)	
Railroad	
•Railroad Grant Programs . . . . .	190
Ramp (see Curb)	
RCRA (see Waste)	
Real Estate	
•Real Estate Reassessment Notification . . . . .	266
•Real Estate Reassessment Standards . . . . .	228
Real Property	
•Abandoned Real Property . . . . .	246
•Tax-Exempt Real Property Inventory . . . . .	229
•Uniform Relocation and Real Properties Acquisition Policies Act of 1970 . . . . .	294
Records (see also Criminal, School Board, Social Services)	
•Administrative Records Confidentiality Required . . . . .	196
•Management of Student Scholastic Records . . . . .	71
•Records of Non-Resident Students With Disabilities . . . . .	73
•Virginia Public Records Act . . . . .	174
•Vital Records and Health Statistics Report . . . . .	153
Recreational (see also Road)	
•Virginia Recreational Trails Fund . . . . .	50
Recycling (see also Litter)	
•Plastic Pesticide Container Recycling Grant . . . . .	33
•Recycling Program . . . . .	130
Redevelopment	
•Base Closure and Community Redevelopment Act of 1994 . . . . .	274
Reenrollment	
•Reenrollment Plans . . . . .	103
Refugee	
•Refugee Resettlement Administration and Eligibility Determination . . . . .	199
Regional	
•Regional Competitiveness Act . . . . .	162
Registrar (see Electoral)	
Rehabilitation	
•Rehabilitation Act of 1973 . . . . .	291
Relief	
•General Relief Program Standards . . . . .	199
Remediation	
•Remediation Programs Evaluation and Reporting . . . . .	115
Repatriates	
•Temporary Assistance for Repatriates Program . . . . .	200
Research	
•Human Research . . . . .	179

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Rescue Squad	
•Rescue Squad Assistance Fund . . . . .	157
•Variances and Exemptions for Rescue Squads . . . . .	157
Resource Officer (see School)	
Restaurant (see License)	
Retirement (see Employee)	
Revenue Sharing (see Transportation)	
Revitalization (see Housing)	
River (see Water)	
Road	
•Airport Access Road . . . . .	234
•Industrial Access Road . . . . .	233
•Recreational Access Road . . . . .	234
Safety (see also OSHA, School))	
•Boiler and Pressure Vessel Operator Certification . . . . .	171
•Boiler and Pressure Vessel Safety . . . . .	169
•Bridge Safety Inspection Standards . . . . .	239
•Community Traffic Safety Grant . . . . .	185
•Highway Safety Improvement Program (HSIP) . . . . .	243
Sailor (see Soldier)	
Sand Dune (see Zoning)	
SARA	
•SARA Title III Requirements . . . . .	123
School (see also Crime, Health, License, Local, Technology, Vacation School)	
•Annual Report on Schools . . . . .	72
•Jointly Owned and Operated Schools or Programs . . . . .	111
•Length of School Term . . . . .	76
•Minimum Standards for New Construction and Renovation of School Facilities . . . . .	79
•National School Lunch Program . . . . .	82
•Notice of Parental Involvement in Schools . . . . .	105
•Provision of School Support Services . . . . .	70
•Radon Testing of Public Schools . . . . .	80
•Reports of Certain Acts in Schools . . . . .	104
•Required Local Funding Effort for School Division . . . . .	109
•Sale of School Property . . . . .	106
•School Activity Funds . . . . .	112
•School Breakfast Program Standards . . . . .	82
•School Breakfast Programs . . . . .	84
•School Bus Safety Standards . . . . .	81
•School Maintenance . . . . .	108
•School Resource Officer Grants . . . . .	64
•School Safety Audit and Crisis and Emergency Management Plan . . . . .	107
•School-to-Work Transition Programs . . . . .	104
•Six-Year School Improvement Plan . . . . .	72
•Six-Year Secondary Improvement Plan . . . . .	240
•Superintendent of School Division Required . . . . .	66

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
•Triennial Census of School-Age Population . . . . .	74
•Virginia Public School Construction Grants . . . . .	113
School Board	
•Professional Development for School Board Members . . . . .	71
•School Board Employee Fingerprinting and Criminal History Records . . . . .	68
•School Board Employee Grievance Procedure . . . . .	66
School Support (see School)	
School-to-Work (see School)	
Search	
•Student Searches . . . . .	118
Secondary (see School)	
Sediment (see Erosion)	
Service	
•Purchase of Service System . . . . .	213
Sewer (see Sidewalk)	
Sewerage	
•Sewerage Design Approval . . . . .	154
Sex Offender	
•Sex Offender and Crimes Against Minors Registry . . . . .	223
Sexual Assault	
•Sexual Assault Services Grant Program . . . . .	65
Sidewalk	
•Sidewalk and Storm Sewer Cost-Sharing . . . . .	232
Sludge (see Sewage)	
Social Security	
•Social Security Amendments of 1983 . . . . .	292
Social Services	
•Confidentiality of Client Social Services Program Records . . . . .	212
•Social Services Administration/Record Retention and Reporting . . . . .	195
•Social Services Board Records Retention Policy . . . . .	202
•Social Services Staffing Report . . . . .	194
Soldier	
•Soldiers' and Sailors' Civil Relief Act Amendments of 1991 . . . . .	293
Solid Waste (see Waste)	
Special Education (see Education)	
Spouse	
•Services to Victims of Spouse Abuse . . . . .	207
•Spouse Abuse Grant . . . . .	214
SSI	
•Auxiliary Grant Program for SSI Recipients . . . . .	198
State Hospital	
•Services to Person Discharged from State Hospital . . . . .	207
Storage Tank	
•Above-Ground Storage Tank . . . . .	135
•Underground Storage Tank . . . . .	132
Stormwater	
•Stormwater Management Program . . . . .	49

# Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
Street (see also Subdivision)	
•Urban Street Construction . . . . .	235
•Urban Street Payments . . . . .	236
Structure (see Derelict)	
Student (see also Disability, Records, Search, Transportation)	
•Academic and Vocational Preparation for Students . . . . .	94
•Attendance Guidelines for HIV-Infected Student and Persons with Infectious Diseases . . .	74
•Early Intervention Services to Primary Grade Students . . . . .	107
•Educational Alternatives for Students . . . . .	88
•Identification and Enrollment of Gifted Students . . . . .	88
•Limited English Proficient Students . . . . .	102
•Plans and Procedures for Measuring Progress of At-Risk Students . . . . .	89
•Programs for Educationally At-Risk Students . . . . .	89
•Programs to Increase Numbers of Students Earning Diplomas or GED . . . . .	85
•Student Code of Conduct . . . . .	113
•Verification of Student Immunization . . . . .	73
Subdivision (see also Tidewater)	
•Subdivision Ordinance Adoption . . . . .	260
•Subdivision Street Development Control . . . . .	235
Summer Camp (see License, Vacation School)	
Superintendent	
•Evaluation of Superintendent . . . . .	117
Suspension (see Pupil)	
TANF (see Families)	
Tank (see Storage Tank)	
Tax	
•Business, Professional, and Occupational License Tax Administrative Appeals Process . . . . .	229
•Estimated Tax Payment . . . . .	227
•Income and Fiduciary Tax Returns . . . . .	227
•Recordation and Will Taxes . . . . .	228
•Tax Law Compliance for Bond Sale to Virginia Public School Authority . . . . .	243
•Tax Reform Act of 1986 . . . . .	294
•Taxpayer Assistance . . . . .	226
Taxpayer (see Tax)	
Teachers	
•Professional Development for Teachers and Administrators . . . . .	77
•Pupil/Teacher Ratios . . . . .	70
•Teacher Enrollment in Virginia Retirement System . . . . .	69
•Teacher License Required . . . . .	67
•Teachers for the Visually Impaired Partial Salary Reimbursement . . . . .	247
Technology	
•Educational Technology Grant . . . . .	102
•Information Technology Access for the Visually Impaired . . . . .	230
•Internet Privacy Policy . . . . .	230
•Internet Use Policy . . . . .	114
•Library Acceptable Internet Use Policy . . . . .	174

## Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
•Virginia Public School Educational Technology Grants Program . . . . .	116
Terrorist	
•Terrorist Acts Report . . . . .	222
Test	
•Administration of Criterion Referenced Tests . . . . .	92
Textbook	
•Provision of Free Textbooks . . . . .	75
•Use of Approved Textbooks . . . . .	76
Tidewater	
•Comprehensive Plan Requirements in Tidewater . . . . .	39
•Development Review Requirements in Tidewater . . . . .	40
•Erosion Ordinance Requirements in Tidewater . . . . .	41
•Land Development Requirements in Tidewater . . . . .	42
•Subdivision Ordinance Requirements in Tidewater . . . . .	41
•Wetlands Zoning Ordinance in Tidewater . . . . .	175
•Zoning Ordinance Requirements in Tidewater . . . . .	40
Tire	
•Waste Tire Grant . . . . .	135
Title 1 (see ESEA)	
Traffic (see also Safety)	
•Regulation of Truck Traffic . . . . .	241
•Residential Cut-Through Traffic Policy . . . . .	233
•Traffic Signs, Signals, and Markings . . . . .	237
Transit	
•Public Transit System Financial Report . . . . .	189
Transportation (see also Local, Pupil)	
•Contracting Regulations for Rail or Public Transportation Facility . . . . .	191
•Free Transportation for Students With Disabilities . . . . .	99
•Metropolitan Transportation Planning . . . . .	231
•Multi-County Transportation Improvement District . . . . .	258
•Statewide Transportation Planning Assistance . . . . .	231
•Transportation Efficiency Improvement Grant . . . . .	191
•Transportation Enhancement Program . . . . .	238
•Transportation of Detained Youth . . . . .	168
•Transportation Services for Individuals with Disabilities . . . . .	192
•Urban Mass Transportation Act of 1964 . . . . .	295
•VDOT Revenue Sharing Program . . . . .	232
•Vested Interest in Transportation Project Equipment . . . . .	188
Trapping (see Hunting)	
Tree	
•Tree Planting for Virginia's Communities . . . . .	141
Truck (see Traffic)	
USDA (see Food)	
Vacation School	
•Nondiscriminatory Access to Vacation School or Summer Camp . . . . .	80
VASAP (see Alcohol)	



# Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
VDOT (see Transportation)	
Vehicle	
•Abandoned Motor Vehicles . . . . .	184
•Vehicle Inspection Station Standards . . . . .	220
•Vehicle Inspection Sticker . . . . .	257
•Vehicle Registration Withholding Program . . . . .	185
Vending Stand	
•Operation of Vending Stand by Blind Person . . . . .	248
Victim (see Crime, Spouse)	
VIEW (see Welfare)	
Violence (see also Arrest, Crime)	
•Rural Domestic Violence Grant Program . . . . .	65
•STOP Violence Against Women Grants . . . . .	61
Virginia Retirement System (see Teacher)	
Vision	
Visually Impaired (see Technology)	
•Notification to Parents of Students with Vision/Hearing Impairments . . . . .	108
Vocational (see also Education, Student)	
•Vocational Advisory Council . . . . .	95
Voting	
•Voting Equipment and Systems . . . . .	118
•Voting Rights Language Assistance Act . . . . .	295
Warden (see Animal)	
Warrants	
•Unreserved Felony Warrants or Capias Reporting . . . . .	224
Waste (see also Hazardous, Tire)	
•Fees for Solid Waste Management Facility Permits . . . . .	128
•Medical Waste Management . . . . .	131
•Solid Waste Management Facility Compliance Notification . . . . .	129
•Solid Waste Management Facility Operator Certification . . . . .	126
•Solid Waste Management Facility Permit and Resource Conservation and Recovery Act . . . . .	126
•Solid Waste Management Plan . . . . .	129
•Solid Waste Management Reporting . . . . .	136
•Yardwaste Composting and Vegetative Waste Management . . . . .	127
Wastewater (see License, Water)	
Water (see also Clean Water, Conservation)	
•Exceptional Waters Notification . . . . .	138
•Federal Water Pollution Control Act . . . . .	283
•Ground Water Withdrawal Permit . . . . .	134
•Public Water System Permit . . . . .	153
•Surface Water Withdrawal Permit . . . . .	134
•Virginia Water Protection Permit . . . . .	133
•Virginia Water Quality Improvement Act Wastewater Nutrient Removal Grant . . . . .	136
•Virginia Water Quality Improvement Fund Nonpoint Source Pollution Control Grant . . . . .	51
•Water Quality Act of 1987 . . . . .	296
•Water Resources Development Act of 1986 . . . . .	296

# Catalog of State and Federal Mandates on Local Governments—2001

<u>Key Word</u>	<u>Page Number</u>
•Water Withdrawal Report . . . . .	124
Waterworks (see License)	
Weed and Seed	
•Virginia Weed and Seed Initiative Program . . . . .	62
Welfare	
•Local Board and Superintendent of Public Welfare . . . . .	216
•Virginia Initiative for Employment not Welfare (VIEW) . . . . .	217
Wetlands (see Tidewater)	
Wheelchair (see School)	
Worker (see also Workforce)	
•Older Worker's Benefit Protection Act . . . . .	290
•Virginia Workers' Compensation Act . . . . .	255
•Workers' Compensation Information . . . . .	256
Workforce	
•Virginia Workforce Development Program . . . . .	124
Work Release (see Inmate)	
Yardwaste (see Waste)	
Youth (see also Transportation)	
•Comprehensive Services for At-Risk Youth and Families . . . . .	46
•Youth Gangs Reporting . . . . .	223
Zoning (see also Tidewater)	
•Board of Zoning Appeals . . . . .	261
•Coastal Primary Sand Dune Zoning Ordinance . . . . .	175